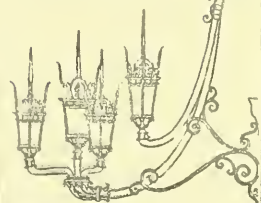


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Boston Guide to Development



City of Boston, Kevin H. White, Mayor • Greater Boston Chamber of Commerce
• Economic Development and Industrial Corporation of Boston • Boston
Redevelopment Authority

the 1990s, the number of people in the world who are undernourished has increased from 600 million to 800 million (FAO 1996). The number of people who are malnourished has increased from 1.2 billion to 1.5 billion (FAO 1996).

There is a growing awareness of the need to improve the nutritional status of the world's population. The United Nations World Food Programme (WFP) has been instrumental in this regard, and has been instrumental in the development of the World Food Programme's (WFP) Nutrition Programme.

The WFP's Nutrition Programme is a multi-sectoral programme that aims to improve the nutritional status of the world's population. It is a multi-sectoral programme that aims to improve the nutritional status of the world's population.

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Boston Guide to Development

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Greater Boston Chamber of Commerce
Herbert Roth, Jr., President

Economic Development and Industrial Corporation of Boston
Brian Dacey, Director

Boston Redevelopment Authority
Robert Ryan, Director

February, 1981
Boston, Massachusetts



Greater Boston
Chamber of Commerce
125 High Street
Boston, MA 02110
Tel: 426-1250

February, 1981

This development guide represents one aspect of a unique collaborative effort between the public and private sectors to help ensure positive growth and development for the City of Boston.

The Chamber, through the work of its BOSTON 2000 — Policies and Procedures Sub-Committee, is pleased to have initiated and participated in the development of this publication along with the City of Boston's industrial development agency (the Economic Development and Industrial Corporation of Boston) and its commercial and housing development and planning agency (the Boston Redevelopment Authority).

We see this development guide as an important first step in helping those who wish to invest in the future of our City. It is the first comprehensive listing of public sector agencies concerned with development and contains information on the development process itself, including site acquisition, financing, permitting and other important matters.

This document represents but one part of the work program of the Chamber's BOSTON 2000 Committee. Our concern is not only with how development occurs in our City, but also with the impact of development in Boston over the next twenty years.

Whether we live, work or do business in Boston, it is up to all of us to share the responsibility for, as well as the excitement in, the growth of our City. To this end, we will continue to encourage a cooperative working relationship among the public and private sectors and the community at large.

Sincerely,

Herbert L. Roth, Jr.
President
Greater Boston Chamber of Commerce
and Chairman, BOSTON 2000



Boston Guide to Development

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Herbert Roth, Jr., President

Economic Development and Industrial Corporation of Boston
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President
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February, 1981

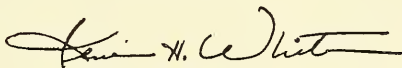
We are on the verge of significant new development in Boston. Projects are changing the skyline and the coastline — Lafayette Place, Charlestown Navy Yard, Copley Place — and strengthening the neighborhoods with jobs — Digital Equipment Corporation, Teradyne, and O'Connell Seafood. Boston is becoming an increasingly vital center for business and industry.

Many businesses want to locate or expand in Boston. Our policy is to encourage development that will benefit Boston residents and make this City even more attractive and livable. This City's ability to make land and financing available and to retain a stable, skilled workforce makes new growth possible.

The Boston Guide to Development is a comprehensive description of incentives and procedures for commercial and industrial development projects. Prepared jointly by the Chamber of Commerce and the City, the *Guide* reflects a new era of cooperation between the public and private sectors. For the businesses that are here now, the new developers coming into the City, and residents, this cooperation means new job opportunities, neighborhood stabilization, and a vital business environment.

We look forward to continuing to work with industry and business in the mutual interests of us all.

Sincerely,



Kevin H. White
Mayor



Kevin H. White, Mayor / OFFICE OF THE MAYOR / Boston City Hall / City Hall Plaza 02201

Introduction

The *Boston Guide to Development* is published cooperatively by the Greater Boston Chamber of Commerce, the Economic Development and Industrial Corporation of Boston and the Boston Redevelopment Authority. A special funding grant for publication was provided by The Boston Private Industry Council, Inc. The *Guide* has been designed to better enable private sector firms and non-profit development organizations to work with the public sector in exploring development options and implementing new development projects in the City of Boston.

In August, 1979, the Greater Boston Chamber of Commerce established the BOSTON 2000 Committee in order to plan for new economic growth through development over the next twenty years. Its Policies and Procedures Sub-Committee initiated this publication as a first step toward encouraging public-private cooperation to bring about this new growth.

This *Guide* has been compiled as a service to all those who are involved in commercial and industrial projects. Each phase of development is described — from planning and site selection through financial incentives and the selection of employees. For each phase of development, incentives for which a developer, businessperson or Community Development Corporation may be eligible are discussed along with all requirements. Because the *Guide* includes descriptions of requirements which apply to a wide range of projects, most readers will need to review only those sections applicable to their type of development project.

Organization and Focus

The primary focus of this *Guide* is on services provided by the City of Boston and development requirements which fall under City jurisdiction. Information is also provided on federal and state incentives and requirements, although detailed descriptions of these programs should be obtained directly from the federal or state agencies listed.

The sections of this *Guide* follow the order of the major stages of a development project, beginning with consideration of the opportunity to build or expand in Boston (see "Table of Contents"). Information is organized in a manner which readily enables the reader to determine which incentives or requirements may be of interest by reading the information provided up to and including the heading "applicability." Listed next chronologically are descriptions of procedures associated with these incentives and requirements, followed by fees where appropriate and the phone number of offices within agencies responsible for programs. For those who are familiar with these procedures, this *Guide* can serve as a checklist.

Update

Because development procedures are subject to change it is advisable to call the contacts listed as the appropriate sources for further inquiries. The text of this *Guide* has been designed so that updated or additional information can be written into the appropriate sections.

Boston Guide to Development

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Why Build in Boston?

The Boston metropolitan area is the sixth largest in the United States with a population of almost four million. The City of Boston, as the "hub" of this large metropolitan and regional market area serves as:

- an international port and regional transportation center
- the financial and commercial center for the region
- a center of higher education and medical services for the nation
- the seat of Massachusetts state government and the Federal administration center for New England
- a regional shopping center
- the cultural and entertainment center for the metropolitan area
- a national tourist attraction and the site of major historical landmarks.

Boston is a distinctive and vibrant city with a charm and character which can be traced to its rich history, its collection of famous colonial and Victorian homes, its cultural and entertainment amenities, its river basin and harbor and its impressive and extensive park systems.

The City today has a spirit of revitalization which seeks to blend the new with the old. While Boston has suffered from some of the national trends and market forces affecting all older central cities, it has more recently shown a renewed strength; a capacity to surge back and to make the most of change.



A Transportation Center

Boston's transportation services are among the most diversified and expansive in the world. Logan International Airport, located just ten minutes from downtown Boston, is the world's eighth busiest airport serving over 25,000 passengers daily. The year-round Port of Boston, strategically located for shippers and importers, is one day closer to Europe than any other major U.S. North Atlantic port. The port facilities act as a base for shipping operations and handle both containerized and non-containerized cargo. In addition, the Massachusetts Port Authority is in the process of investing \$80 million over the next 10 years to expand container facilities at the Boston Marine Industrial Park.

Boston is also the hub of New England's rail, truck and bus services. It has one of only nine rapid transit systems in the country. This Boston rail network links 2.8 million people throughout the metropolitan area to the downtown via 80 miles of rapid transit lines, 291 miles of commuter rail, 2,500 miles of bus routes and two privately-operated boat services. The city ranks fourth in the nation and eighth in the world in peak load use of mass transit between the downtown and surrounding areas.

At least eight major radial highways feed directly into downtown Boston from the suburbs, while two roadways — Routes 128 and 495 — encircle the city at distances of ten and twenty-five miles out. Of the metropolitan population, some 2.1 million people live within a forty-minute drive of downtown.

Within its boundaries, Boston boasts a system of scenic thoroughfares such as Commonwealth Avenue and Storrow Drive. In addition, downtown and Back Bay parking lots and garages can accommodate close to 33,000 automobiles.

A Labor Market

Although Boston is small in area relative to many other center cities, it provides employment for one-third of the entire metropolitan area population and one-fifth of Massachusetts' residents. Boston offers a skilled labor force in both the service and manufacturing industries.

The City's population stabilized in the 1970's, reflective of the growing number of young professionals, many of them educated in the Boston area's higher education system, who now prefer central city living. In 1979, the broadly defined service industries including finance, insurance, real estate, government and proprietors accounted for 64% of Boston's 557,563 jobs — up from a 55% share in 1970.

Manufacturing employment expanded by 3,800 jobs during 1975–79, reversing a twenty-five year decline. Today, the

An Energy Conscious City

manufacturing sector comprises fully 10% of the City's workforce. Boston's labor force includes skilled workers and technicians experienced in the production of electrical and non-electrical machinery, transportation equipment, fabricated metals, instruments, lumber, printing, apparel, textiles, and chemical, wood, leather and rubber products.

Continued growth prospects for the high technology, service, financial, insurance, real estate, transportation and fabricated metal industries will ensure the availability of a broad range of job opportunities for Boston residents.

Boston's physical layout is well adapted to this period of scarce resources and expensive energy. The average commute into center city is less than twelve miles, and the suburban ring extends only twenty miles from the city's core. More than 50% of the people who come into downtown Boston each morning arrive by train, bus or rapid transit.

Although the New England region is dependent upon oil as an energy source, there is an ample supply of natural gas. Boston area firms are in the forefront in the development of alternative energy sources such as solar power.

In addition, Boston has recognized the effects of the rising costs of fuel needed to heat both private and public buildings. In response, the City is developing a comprehensive energy plan to address the needs of commercial and industrial firms, as well as homeowners.

As a first step, the Economic Development and Industrial Corporation of Boston, the City's lead agency in industrial development, has completed an energy audit on 1.5 million square feet of leasable space at its Boston Marine Industrial Park.

A Financial Center

Boston is second only to New York as a financial center. Located here are sixty major insurance companies, five national banks, fifty-three trusts, fourteen commercial banks, eleven savings institutions, and nineteen cooperative banks. These money-managers handle over \$80 billion, and their fees exceed \$200 million annually. Boston is also the origin of the mutual fund with more than one-third of the nation's mutual fund resources directed from the downtown financial district.

A Leader in Medical Sciences

Another factor which makes Boston special among the nation's cities is its concentration of medical resources. With 130 hospitals in the metropolitan area, 35 of them in the City alone, Boston continues to be an international center of medical research.

In addition, the City is a center of medical schools and

A High Technology Region

A Center of Learning

teaching hospitals. Harvard Medical School and its affiliated hospitals — including Massachusetts General Hospital, Beth Israel Hospital and Children's Hospital — as well as the New England Medical Center and Boston University Hospital are acknowledged leaders in their field of medicine.

Boston is also known for its excellent patient care, drawing people from all over the world who come to be treated by specialists in such fields as pediatrics (at Children's Hospital), diabetes (at the Joslin Clinic) and severe burns (at the Shriners Burn Institute). As a complement to these medical resources, numerous neighborhood health centers offer walk-in consultation in various specialties.

The Boston region is one of the leaders in high technology. This stems from the area's ability to respond to the industry's need for a skilled labor force, especially in the engineering field. This labor force can be drawn from such high quality, local educational institutions as the Massachusetts Institute of Technology, Harvard University, and Wentworth Institute, among others.

Another factor which makes the Boston area attractive to the high technology industry is the easy accessibility to international air and water transport facilities.

High technology firms located in Boston include manufacturers of mini-computers, electronic components, communications equipment, and engineering, scientific, measuring and controlling instruments.

Boston has long been noted for its leadership in the field of education. The oldest high school in the country, the Boston Latin School, was established here in 1635. Harvard College was founded a year later. In the years since, Boston University, Boston College, the Massachusetts Institute of Technology, the University of Massachusetts, Simmons College, Wellesley College, Tufts University, Northeastern University and Brandeis University have broadened the area's educational base. These and other smaller educational institutions contribute to Boston's status as a national center for education.

In addition, greater Boston has the largest percentage of employees in the country working in educational services. The area's institutions of higher education generate \$1.3 billion in economic activity with their faculty members, staff and students adding nearly \$500 million a year to the local economy.

In elementary and secondary education, many alternatives are available to the youth of Boston. These include the

A Seat Of Government

public school system, parochial schools located in many of the city's neighborhoods and a variety of private schools.

Boston is the capital of the Commonwealth of Massachusetts and the de facto capital of both the metropolitan area and the overall New England region. Numerous federal agencies have located their regional offices here, and some forty foreign countries maintain consulates in the City. In addition, there are also a number of special regional authorities and commissions who maintain offices in Boston. In Government Center alone, there are over 22,000 federal, state and local government employees and more than four million square feet of government office space.

A Market Place

Boston's strength lies in the pivotal role its plays in the economies of both the metropolitan region and the state. The Boston metropolitan area is the sixth largest market in the United States, and has grown from \$10 billion in 1929 to \$23 billion in 1973 (constant 1975 dollars). Earned income (a measure of production) in the City of Boston rose from \$4.1 billion in 1929 to \$7.5 billion in 1978 (constant 1978 dollars).

The City's per capita personal income level in 1978 of \$7,077 was close to the national average of \$7,840. While lower than the \$8,306 figure for the metropolitan region, this is one of the most affluent areas in the country. The median family income in 1969 for Boston was \$9,133, growing to \$15,377 in 1977. This increase kept pace with that of the metropolitan area which grew from \$11,448 in 1970 to \$18,568 in 1977.

Who Helps You Build In Boston?



This section describes the purposes and services of public and private organizations which work with developers. The Boston Redevelopment Authority (BRA) and the Economic Development and Industrial Corporation of Boston (EDIC/Boston) are Boston's lead public agencies responsible for fostering private sector development. While the specific types of assistance they provide are described throughout this Guide, general descriptions appear in this section.

The Greater Boston Chamber of Commerce, acting as a public/private liaison, works to promote business and public interests and provides informational services. The Boston Private Industry Council, Inc. (PIC) works to maximize the private investment in, and employment benefits of, public sector programs.

An outline of the ways in which private sector services are employed in the completion of development projects also follows. This outline contains the types of services available to developers, such as legal, financial, or architectural, and focuses on the components of public sector programs with which each of these services is equipped to assist.

Economic Development & Industrial Corporation of Boston (EDIC/Boston)

Since its creation in 1971, the Economic Development and Industrial Corporation of Boston (EDIC/Boston) has been Boston's lead agency for industrial development. Established by the Massachusetts Legislature, the Corporation was a natural outgrowth of the Development and Industrial Commission established by Mayor Kevin H. White in 1969 to help stem the loss of blue-collar jobs and industries. The birth of EDIC/Boston represented an expansion of the City's powers to achieve economic stability, create industrial jobs for its residents and return vacant or deteriorated lands to the City's tax rolls.

To fulfill its mandate, EDIC/Boston was given extraordinary powers including that of eminent domain. The Corporation can also receive grants, enter into contracts, collect rents, buy and sell property and borrow money through revenue bonds.

In nine years, the scope of EDIC/Boston has broadened beyond traditional industrial development functions. A variety of programs is now available to a business interested in locating or expanding in Boston. EDIC/Boston offers (1) publicly owned sites for development, (2) private site listings, (3) comprehensive financial packaging to suit individual needs, and (4) research and statistical information.

Recognizing that the deciding factor for an industry to locate in the City is often the innovative packaging of federal, state and city resources, EDIC/Boston effectively combines the existing powers and programs available through the agency to pull together the necessary resources.

With a mandate to curtail blue-collar unemployment and develop tax income for Boston, EDIC/Boston has vigorously pursued and won over \$23.5 million in federal funds, primarily from the Economic Development Administration (EDA) and the Department of Housing and Urban Development (HUD), for the development of its three industrial parks: Boston Marine Industrial Park (and its Job Training Center), Crosstown Industrial Park and Alsen Mapes Industrial Park. These grants have been used for the rehabilitation of buildings, acquisition and preparation of sites, and for infrastructure improvements. By assembling industrial sites and making capital improvements, EDIC/Boston has succeeded in attracting industry to previously under-utilized or vacant areas.

EDIC/Boston also maintains profiles on available publicly and privately owned sites scattered throughout the City. Information on these sites is provided as a service to expanding industries and to the real estate community.

Boston Redevelopment Authority (BRA)

Contact

To encourage city-wide industrial development, EDIC/Boston has the capacity to provide financial assistance to industrial firms by utilizing city, state and federal programs in combination with private financing. Through the Boston Local Development Corporation (BLDC), administered by EDIC/Boston staff, small companies are able to obtain long-term financing for capital improvements (SBA 502 Program) and for working capital (SBA 7A Program).

Tax-exempt industrial revenue bonds are also available to firms city-wide through the Industrial Development Financing Authority (IDFA) staffed by EDIC/Boston. In addition, the Corporation packages Economic Development Administration (EDA) loans.

Staff of EDIC/Boston also provide expertise in the real estate, marketing, planning and research, project management, and architectural and engineering areas.

Director
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

The Boston Redevelopment Authority (BRA) is responsible for housing and commercial development and planning activities in the City of Boston. At the request of the Mayor and City Council, the BRA was established by state law in 1957 to carry out the objectives of the National Housing Act of 1949. These objectives included prevention of the spread of urban blight through rehabilitation and conservation measures and the improvement of the quality of the urban environment. The planning function was assumed in 1960 when the City Planning Board was abolished and its staff transferred to the BRA.

Since 1957, the BRA has received commitments for federal and local funds to carry out twenty-three urban renewal projects which cover almost 3,000 acres of land in various parts of the City. Currently, the BRA is overseeing and coordinating numerous large, mixed-use projects which will generate considerable economic growth, particularly new job opportunities for Boston residents and increased tax revenues for the City. Through the implementation of federal and state programs, the Authority is also involved in the development of new and rehabilitated housing.

The BRA's initial source of development funding was the urban renewal program administered by the U.S. Department of Housing and Urban Development. In 1974, this was

supplanted by Community Development Block Grants. Currently the BRA receives funds from a number of federal agencies including the Department of Commerce and the Department of Transportation.

In addition, the BRA is empowered to approve applications for the formation of non-profit, limited dividend corporate entities under Chapter 121A of the Massachusetts General Laws. For the potential developer, the 121A process offers a stable rate of taxation based on percentage of revenues. A project is eligible for such consideration if it is located in a blighted area.

Other recent development aids available through the BRA are the state-assisted Commercial Area Revitalization District (CARD) incentives and HUD's Urban Development Action Grants (UDAG). The BRA can assist commercial development projects located in approved CARDS with tax free industrial revenue bonds, mortgage insurance and tax credits by using programs originating with various public agencies. With UDAG funds the BRA provides low interest loans and public improvements necessary to stimulate private investment and to create new jobs.

In developing and administering its projects, the BRA provides staff in engineering, real estate acquisition, project administration, property management, urban design, and relocation.

As the City's planning agency, the BRA is not only responsible for zoning and city-wide comprehensive planning, but also historic preservation, transportation and economic research.

Contact

Director
Boston Redevelopment Authority
Boston City Hall, 9th floor
Boston, MA 02201
722-4300

**Public/Private
Liaison
Greater Boston
Chamber of
Commerce**

The Greater Boston Chamber of Commerce exists today under the mandate of its original charter formulated some seventy years ago — to protect and promote the business and public interests of Greater Boston. Consistent with that mandate, the Chamber researches, monitors, provides information and analysis, and develops a posture or implements programs around such diverse issues as energy, environment, transportation, education and training, health, government laws and regulations, and taxation.

In its role as a liaison between the public and private sectors in the area of economic development, Chamber services and activities include the following:

Information and Referral The Community Development Department maintains information on public and private sector agencies and associations, and non-profit and community groups whose concerns and activities are related to economic development. The Department also tracks and maintains data on development projects underway or proposed for the City of Boston.

Programs The Chamber maintains a standing committee — BOSTON 2000 — and numerous working sub-committees which bring together representatives of the public and private sectors (including real estate and development interests), and community groups and associations concerned with the City's economic development and growth. These committees are charged with:

- formulating concepts and programs to guide the planning and development of Boston to the year 2000.
- identifying areas in which the public and private sectors can work together to insure the viability and livability of Boston, both in the short and long-term.
- assessing Boston's policies and procedures relating to development.

Work programs are based upon critical issues identified by on-going volunteer working committees and the community-at-large. In addition, the Chamber provides testimony at public hearings on development projects proposed for the City of Boston.

Publications The Chamber provides statistical information on the City of Boston and the greater Boston area through such publications as: "City of Boston and Subdivisions (Populations and Housing)"; "Greater Boston Population Projections and Tax Rates"; and "Massachusetts Taxes."

Contact

Director
Community Development Department
Greater Boston Chamber of Commerce
125 High Street, 9th floor
Boston, MA 02110
426-1250

The Boston Private Industry Council, Inc. (PIC)

The Boston Private Industry Council, Inc. (PIC) is a private, non-profit organization established as part of a national effort to actively engage the private sector in the formulation of employment and economic policy. The Council sponsors a range of activities designed to improve the investment climate for local employers and to increase job opportunities for Boston residents. The Council's staff is available to provide information and advice to Boston area businesses on capital resources, tax incentives and employee training subsidies. In addition, the Council funds vocational training programs which can be customized to the specifications of individual employers.

All Boston area companies are eligible to utilize services provided by the PIC. Training program enrollees must be unemployed or underemployed Boston residents.

Interested firms should contact The Boston Private Industry Council, Inc. to arrange for concise briefings and referrals on the range of public and private resources available for financing, tax credits and training assistance programs.

Council staff members are also prepared to assist employers analyze their workforce needs and to design recruitment and training/retraining programs for skilled and semi-skilled positions. Curricula are developed to company specifications and training can occur on-site or in a classroom. No minimum or maximum number of enrollees is required, and course duration may range from three to 18 months. The average program start-up time is three months.

Contact

Executive Director
The Boston Private Industry Council, Inc.
15 Congress Street, 6th floor
Boston, MA 02109
742-4550

Private Sector

This section outlines private sector services which can be used both to get the maximum benefits of development incentives and to expedite compliance with development requirements when working with the public sector.

Many of the private sector services listed are appropriate for one or more development stages. The nature of services obtained from each category (e.g., realtors, attorneys) also varies according to the stage of development. Thus the services have been divided into two broad categories: exploration and implementation. The types of assistance most likely to be provided are listed within each category.

In addition to using one or more of these private sector services, many firms expanding in Boston hire one individual or firm to coordinate a project throughout all phases of exploration and implementation. This coordinator, for example, might be an attorney, real estate agent, consultant, architect, or engineer. The coordinator considers the feasibility of, and makes recommendations on, the various options for location, design and contractual relations, and often handles any negotiations involved in the project.

Developers: Working throughout all phases, developers select and obtain sites by working either with private brokers or with the EDIC/Boston and BRA on publicly-owned sites; obtain financing through private institutions or publicly subsidized finance programs; execute tax agreements when applicable; construct projects for conveyance or lease; and undertake marketing programs separately or in concert with a public agency.

Exploration Phase

Realtors: Provide market analysis, counseling, appraisal, feasibility evaluation and brokerage services which help clients find and select among sites. Realtors can help clients formulate proposals for projects in EDIC/Boston industrial parks, BRA urban renewal areas or in historic structures and recycled municipal buildings, or they can act as a liaison to public agencies which own property or control development rights. Mortgage brokerage services available through real estate firms can help developers obtain financing through conventional loans and/or public programs.

Attorneys: Prepare and review property conveyance or lease documents including special agreements or clauses insuring compliance with EDIC/Boston Economic Development Plans, BRA CARD Plans, or BRA Urban Renewal Plans. Public Facilities Department (PFD) agreements governing the reuse of City buildings are also prepared and reviewed by attorneys.

Documentation for federal and local loan programs are prepared by the developer's or industry's attorney. Attorneys also prepare financial documents such as mortgage agreements and all documents required for public financing programs such as industrial revenue bonds.

Tax attorneys, representing property owners during abatement hearings, meet with the Assessing Department to discuss revaluations when property improvements are made. They review EDIC/Boston in-lieu-of-tax agreements and BRA 121A tax agreements. They also insure maximum utilization of state and federal tax incentives by preparing or reviewing tax returns.

Accountants: Advise clients of the financial feasibility of development options at publicly and privately owned sites and measure the benefits of acquiring an historic landmark. They advise on the costs associated with alternative financing options and prepare basic financial information used in applying for public sector financing programs. When the client is eligible, accountants prepare tax returns which use state and federal tax incentives.

Financial Institutions (Banks, Insurance Companies, Mortgage Brokers): Provide mortgage financing for acquisition or construction loans. Many of these institutions are familiar with public sector financing programs and work with EDIC/Boston and the BRA to finance proposed development projects.

Consultants: Consider the feasibility of alternative locations including specially designated areas, historic landmarks, and recycled municipal buildings.

Engineers/Architects: Advise on the feasibility and costs of development given alternative sites (including those publicly-owned, specially-designed or historic) and the scope of work.

Implementation Phase

Consultants: Compare alternative development plans including consideration of zoning changes, and the costs and benefits of street construction or removal. If an Environmental Impact Report is required by the State or an Environmental Impact Statement is required by the federal government, it is useful to hire a consultant with expertise in preparing environmental studies. In addition, consultants prepare grant applications for public funding programs.

Engineers/Architects: Consider zoning requirements and will prepare data for environmental permit approval requests, when applicable, in designing a facility. They also

prepare plans and specifications for BRA or EDIC/Boston review when applicable.

Attorneys: Prepare construction contract documents and insure compliance. Sections of contract documents and of lease or conveyance agreements pertaining to resident hiring and affirmative action requirements are reviewed by attorneys.

Contractors: Ordinarily responsible for obtaining building permits and meeting bonding requirements.

Realtors: Provide property management services upon completion of the project.

Contact

The professional associations listed below can be contacted for service referrals.

American Planning Association
Massachusetts Section Director
c/o Boston Office of Energy Conservation
Boston City Hall
Boston, MA 02201
725-4196
(for 1980-81)

Boston Bar Association
16 Beacon Street
Boston, MA 02108
742-0615

Boston Society of Architects
320 Newbury Street
Boston, MA 02115
267-5175

Builders Association of Greater Boston
93 Purchase Street
Boston, MA 02110
357-5550

Greater Boston Chamber of Commerce
125 High Street, 9th floor
Boston, MA 02110
426-1250

Greater Boston Real Estate Board
24 School Street
Boston, MA 02108
523-2910

Massachusetts Bankers Association
125 High Street
Boston, MA 02110
542-1837

Massachusetts Society of Certified Public Accountants
3 Center Plaza
Boston, MA 02108
227-0196

Massachusetts Society of Professional Engineers, Inc.
80 Boylston Street
Boston, MA 02116
423-1508

Locating in Boston



Land for industrial or commercial development may be acquired privately or, in certain cases, through the aid of various City agencies. Singularly or in combination, the Boston Redevelopment Authority (BRA), Public Facilities Department (PFD) and Economic Development and Industrial Corporation of Boston (EDIC/Boston) are empowered to acquire land for specific purposes through eminent domain or a negotiated sale. Both private developers and these public agencies may also acquire land through the tax foreclosure process.

The first part of "Locating in Boston" describes EDIC/Boston's industrial parks and the special benefits available to firms which locate in specially designated areas. This is followed by a section on the reuse of older buildings including: information on the means by which historic landmarks are designated, the requirements and benefits associated with the acquisition of an historic building, and the acquisition of a municipal building (which has since been replaced by a newer facility).

The third section of "Locating in Boston," entitled "Acquiring a Site," describes the procedures used by EDIC/Boston, the BRA, and the PFD to acquire land or buildings for development projects.

**Locating in a
Specially
Designated Area**

**EDIC/Boston
Industrial Parks**

Boston Marine
Industrial Park (BMIP)

Location

660 Summer Street
Boston, MA 02127
(Near Boston harbor in South Boston)

Description

Former South Boston Naval Annex substantially rehabilitated by EDIC/Boston.

102 acres of waterfront property, zoned W-2 and I-2.

1.5 million square feet of building space; many buildings uniquely structured to allow for large scale manufacturing.

Includes two drydocks, one of which is the largest on the east coast.

Accessible by rail, ship, or truck.

Applicability

Companies locating at BMIP should provide new industrial employment for City residents (See Section 7, "Finding Employees").

Leasing Arrangement

Lease agreements provide for escalating rental payments to EDIC/Boston which include in-lieu-of-tax payments. Lease agreements can be coupled with financing arrangements (See Section 4, "Matching Financial Needs").

Time required for negotiation of lease: 2-8 weeks.

Contact

Director of Development
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

Alsen Mapes Industrial Park (AMIP)

Location

New Mapes Street
Dorchester, MA 02122
(Near Park and Freeport Streets)

Description

Located four blocks from the Southeast Expressway and Morrissey Blvd., five blocks from the MBTA Red Line.

7.5 acres of cleared and graded open land; zoned M-1; can be divided into four development parcels. EDIC/Boston has constructed a roadway through the site.

Full range of utilities available within 500' of all parcels.

EDIC/Boston has provided underground conduit for lighting, fencing around exterior, tenant directory, and landscaping.

Applicability

Companies locating at AMIP should provide new industrial employment for City residents (See Section 7, "Finding Employees").

Leasing Arrangement

Lease agreements provide for rental payments on land, in-lieu-of-tax payments on building, and lessor buy-out. Lease agreements can be coupled with financing arrangements (See Section 4, "Matching Financial Needs").

Time required for negotiation of lease: 2-8 weeks.

Contact

Director of Development
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

Crosstown Industrial Park (CTIP)

Location

In South End/Roxbury area, along Crosstown Street.

Southeast Expressway is one to three blocks away, and MBTA Orange Line is three to five blocks from site.

Description

Under development by EDIC/Boston and the Community Development Corporation of Boston, Inc. (CDC).

Contains 40 acres of largely undeveloped or underdeveloped land divided into five parcels, zoned M-1.

To date, 17 acres have been assembled by EDIC/Boston and CDC of which twelve acres are now leased. The remaining parcels are designated, but not assembled.

Applicability

Utility hook-ups are available in surrounding streets.

Leasing Arrangement

Companies locating at CTIP should provide new industrial employment for City residents (See Section 7, "Finding Employees").

Lease agreements provide for rental payments on land, in-lieu-of-tax payments on building, and lessor buy-out. Lease agreements can be coupled with financing arrangements (See Section 4, "Matching Financial Needs").

Time required for negotiation of lease: 2-8 weeks. Time required for land assembly: 6 months to 1 year.

Contact

Director of Development
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

EDIC/Boston designates a site blighted or decadent when a site has the potential for upgrading for industrial uses. When an "Area" is designated, EDIC/Boston may develop an Economic Development Plan for one or more economic development projects. This detailed plan should indicate the boundaries of the area to be approved, proposed land uses, maximum densities, building requirements, zoning changes, planning changes, necessary land acquisition, demolition, removal, rehabilitation of structures, and such development, redevelopment and general public improvements as may be proposed within such an area. Economic Development Projects are undertaken in accordance with an approved Economic Development Plan. A project generally includes the acquisition, clearance, and improvement of land for industrial expansion and development.

Applicability

Any blighted open area or decadent area which is detrimental to the safety, health, morals, welfare or sound growth of a community because it is unduly costly to develop it soundly through the ordinary operations of private enterprise is eligible for designation as an Economic Development Area.

Process

EDIC/Boston's staff determines a site to be a blighted open area or decadent area and defines general boundaries.

EDIC/Boston's Board of Directors votes the designation of an "Economic Development Area" and instructs EDIC/Boston's staff to develop an Economic Development Plan for the "Area".

EDIC/Boston staff develops an Economic Development Plan for one or more projects within the designated area. The

detailed plan must define the proposed project(s) including the activities to be undertaken and its financial feasibility and marketability. Development of this plan is often accompanied by the preparation of an application for federal funding assistance used for the implementation of the project.

The Economic Development Plan, along with any funding requests, are submitted to the EDIC/Boston Board of Directors for approval.

Time required for designation of area and completion of plan: 2-3 months.

If approved by the EDIC/Boston Board of Directors, a neighborhood hearing on the project is held (See Section 6, "Public Hearings").

If the plan and the project(s) it defines has community support, EDIC/Boston will submit the Economic Development Plan to the City Council and the Mayor for approval (See Section 6, "Public Hearings"). In conjunction with the approval of the plan, the City Council may appropriate funds for its implementation. The Council must also consider any request for Housing and Urban Development funding assistance. If after ninety days the City Council has taken no action, the plan is then considered approved. The Mayor must sign the final approved proposal.

Time required for City Council and Mayoral approvals: 1-2 months. Total time required: 3-5 months.

Contact

Director of Development
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

BRA Commercial Area Revitalization Districts

Commercial property within designated Commercial Area Revitalization Districts (CARDs) is eligible for certain economic development incentives formerly available only to industrial enterprises. The BRA is charged with implementing this state-initiated program in the City of Boston. Commercial enterprises, and ground floor retail enterprises with housing above, which are either currently in one of these districts or plan to locate in a CARD may avail themselves of the following incentives:

- Tax free industrial revenue bond financing for up to 100% of the costs of building expansion, renovation or new construction. Industrial Revenue Bonds are issued through EDIC/Boston's Industrial Development Financing Authority.

Applicability

- Mortgage insurance up to 40% of the total project financing. This insurance may be applied to either conventional or industrial revenue bond financing. It is provided by the Massachusetts Industrial Finance Agency (MIFA).
- Businesses in CARD's can take an Investment Tax Credit and an Urban Job Incentive Tax Credit. (See Section 5, "State and Federal Tax Incentives").
- State reimbursement for up to 70% of local government parking facility construction costs.

In order to qualify for the first three of the above incentives a business must locate in, or currently be located in, an approved CARD. CARD project designations are obtained after a CARD plan for each district is prepared by the BRA staff. The plan is circulated among neighborhood groups based near the proposed CARD, often reviewed at a neighborhood hearing; approved by the BRA Board of Directors and submitted to the City Council. After City Council approval is obtained, the Mayor signs the resolution and the CARD plan is forwarded to the State Executive Office of Communities and Development for final approval.

The following CARD plans for the City of Boston have been approved:

Cleary Square, Hyde Park
Grove Hall Mall, Roslindale
Bayside Mall, Dorchester
Roslindale Square, Roslindale
Dudley Station, Roxbury
West Broadway, South Boston
Museum Wharf, South Boston
Fields Corner, Dorchester
Financial District, Downtown
Lower Mills, Dorchester
Museum of Fine Arts, Huntington, Fenway.

Additionally, CARD plans are currently being written for North Station, The Theatre District, and several neighborhood commercial areas.

The eligibility of projects to obtain Industrial Revenue Bonds (IRB) or MIFA mortgage insurance is based on the credit worthiness of the firm, the financial strength of the proposed project, and conformance with the objectives of the CARD plan. Mortgage insurance will only be issued for projects involving the substantial renovation of existing buildings. Additionally, during the review of IRB proposals, it must be shown that the project will generate economic benefits for the community.

Process

Details on eligibility criteria for tax credits can be obtained from Section 5, "State Tax Incentives" of this *Guide*.

Funding for parking facilities can be obtained by the BRA for any of the above mentioned CARDS.

Industrial Revenue Bonds: The developer must submit project information to the BRA. The particular materials required may vary with each project, but generally include background information, plans, drawings, and financial analyses.

The developer meets with BRA staff who will review the proposal and determine its compliance with the CARD plan for that area. Once the necessary conditions have been met, the BRA Director will issue a letter certifying the project's conformance to the CARD plan.

Concurrent with BRA review, an industrial revenue bond application should be submitted by the developer to the Industrial Development Financing Authority (IDFA), which is staffed by EDIC/Boston. The IDFA Board will act on the project after the BRA Director's letter of certification is issued.

For the remaining steps, the regular IDFA review process is applicable (See Section 4, "Loans for Fixed Assets or Leasehold Improvements in Targeted Areas").

Total time required to obtain an Industrial Revenue Bond for a commercial project: 5-6 months.

MIFA Mortgage Insurance: The developer should meet with MIFA staff to discuss the proposal and obtain application materials.

The developer should submit to MIFA an application and project information statement containing market analysis, projections of income and expenses, proposed market and management plan, and description of past experience and existing leases.

If IDFA financing will also be requested, submissions to MIFA and IDFA should be concurrent.

The project proponent should submit to MIFA evidence of lender commitment to the project.

Upon favorable MIFA review of project feasibility and eligibility, the proposal will be submitted to the MIFA Board of Directors for approval.

Total time required to obtain MIFA Mortgage Insurance: 4-6 weeks.

Tax Credits: Details on how to obtain tax credits can be obtained from Section 5, "State Tax Incentives".

Parking Facility Construction: Procedures under which the City can obtain state funding for parking areas are presently being formulated.

Contact

For CARD Conformance Certification:
Director of Commercial Development Analysis
Boston Redevelopment Authority
Boston City Hall, 9th floor
Boston, MA 02201
722-4300

For Industrial Revenue Bonds:
Director of Financial Assistance
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

For MIFA Mortgage Insurance:
Mortgage Officer
Mass. Industrial Finance Agency
131 State Street, Suite 600
Boston, MA 02109
723-4242

For Tax Credits:
Director, Urban Job Incentive Program
Mass. Dept. of Commerce & Development
100 Cambridge Street, 13th floor
Boston, MA 02202
727-3210

Bureau of Corporations
Department of Revenue
100 Cambridge Street
Boston, MA 02202
727-4264

Fee

For MIFA Mortgage Insurance: 1/8 of 1% of loan amount requested (\$500.00 minimum) plus an insurance commitment fee of 1% of the amount of insurance granted (\$500.00 minimum). A premium of 1½-2% of the declining balance of the insured portion of the loan must be paid to MIFA annually.

BRA Urban Renewal Areas

For Industrial Revenue Bonds: IDFA does not have an application fee; however, applicants must pay a processing fee to MIFA. (See Section 4, "Industrial Revenue Bonds").

Urban renewal activities are undertaken by the BRA in order to physically and economically improve formerly blighted or decadent sites. Under the program, the BRA may assemble parcels, acquire buildings, relocate occupants if necessary, clear and prepare a designated site for conveyance to a developer and provide public improvements.

The process by which Urban Renewal Areas are developed falls into two phases. The first phase, during which an Urban Renewal Area is created, is a planning process involving community input. The second phase, during which urban renewal parcels are conveyed for development, involves the submission, review and selection of one or more developers.

In the past, urban renewal projects were authorized by the U.S. Department of Housing and Urban Development (HUD) and largely funded by the federal government. Currently, however, urban renewal projects are approved and sometimes funded by the State Executive Office of Communities and Development. The BRA seeks funding from a variety of sources in order to implement urban renewal projects.

Applicability

Any developer interested in building a facility in an Urban Renewal Area may submit a proposal to the BRA in response to a publicly advertised "Request for Proposal." When all proposals are considered, a developer is selected and the site is conveyed. This conveyance is subject to the terms of a land disposition agreement.

Urban renewal plans are legally binding and the BRA can act to ensure that parcels acquired from private owners in Urban Renewal Areas are developed in accordance with the objectives of the plans. It is advisable to contact the BRA before constructing or renovating facilities in these areas.

The following Boston Urban Renewal Areas are active at this time:

Bedford-West, Campus High School, Charlestown, Fenway, Government Center, Kittredge Square, Park Plaza, South Cove, South End, South Station, Summer Street, Washington Park, Waterfront-Faneuil Hall, West End, Whitney Street. Proposed: North Station.

Process

Creation of an Urban Renewal Area: BRA planning staff develops an urban renewal plan for a designated site or

area. The plan must substantiate the extent of blight or decadence in the area, describe the goals to be achieved by a development project, the activities to be undertaken, as well as the financial feasibility of the project and its marketability.

A Project Area Committee, consisting of persons active in the affairs of the neighborhood, is formed by the BRA. This Committee is included in the urban renewal planning process.

Time required for project planning: 1-6 months.

The proposal must be submitted to the Massachusetts Environmental Policy Act Unit for review (See Section 6, "State Environmental Reviews").

Time required: 2 weeks preparation, 3-5 weeks review. If an Environmental Impact Report is required, 3-12 months will be needed for its preparation and review.

The urban renewal plan is submitted to the BRA Board of Directors for approval. This can be concurrent with the environmental review. If objections to the plan are raised, the BRA Board can direct that it be altered. If approved by the BRA Board of Directors, the plan is forwarded to the Mayor for submission to the City Council.

Time required: 2-4 weeks.

The plan is submitted to the City Council for approval (See Section 6, "Public Hearings").

Time required: 2-5 weeks.

If the plan is approved by the City Council, it is submitted by the BRA to the State Department of Communities and Development for its statutory findings under Chapter 121b of the Mass. General Laws.

If the project is determined to be in a blighted or decadent area, is financially feasible, and will benefit the area economically and physically, the Secretary of Communities and Development will approve the project.

Time required: Minimum of one week.

Total time required for urban renewal designation: 3-13 months (not including time needed for preparation and review of Environmental Impact Report, if required).

State funds can be provided to the BRA for any combination of the following activities: Planning and administration, property acquisition through eminent domain proceedings or negotiated purchase, relocation of abutters, demolition

and clearance, site preparation and public improvements. In FY '81, however, state funds are being made available only for planning purposes. In addition to state funds, the City may float General Obligation Bonds to further fund the project, apply to HUD for Urban Development Action Grant funds (See Section 4, "UDAG"), or seek other funding sources.

Disposition of Urban Renewal Parcels: The BRA places a "Request for Proposal" notice in the City's major daily newspaper which solicits public and private developers for the project. Companies or organizations interested in proposing a project should obtain a developer's kit from the BRA. The kit explains the requirements for each urban renewal project and describes the items to be included in project proposals.

All proposals should be submitted to the BRA by developers. They may be refined by developers in conjunction with BRA staff prior to their final submission.

Time allotted for submission of proposals: 60 days after newspaper advertisement.

The BRA will select developer(s) from the proposals by using criteria in the Urban Renewal Plan. The developer selected receives a "tentative" designation. As the term implies, a Tentative Developer is assured that title to the property will be conveyed to him/her provided that (s)he satisfies any remaining requirements the BRA may impose. These may include:

- Obtaining necessary financing.

- Submission of final design plans.

Time required for BRA review of proposals: approximately 45-60 days.

After any outstanding issues related to the project are agreed upon, the BRA gives "final designation" to the developer(s). Parcels needed for the project are sold to the developer(s). The disposition price paid by the developer is usually less than the BRA's costs of acquisition, relocation, clearance, and improvements. The conveyance is subject to the terms of a land disposition agreement designed to insure that the project complies with the Urban Renewal Plan.

Time required to obtain final designation: approximately 45-60 days.

Total time required from solicitation of “Request for Proposal” to final designation of developer: approximately 6-7 months.

Contact

Deputy Director for Community Development
Boston Redevelopment Authority
Boston City Hall, 9th floor
Boston, MA 02201
722-4300

Finding New Uses For Older Buildings

Historic Preservation and Rehabilitation

Federal Tax Incentives

Under the Tax Reform Act of 1976, the Internal Revenue Service is authorized to grant income tax deductions, accelerated depreciation, and tax credits for approved rehabilitation of registered historic buildings. These benefits are recaptured by the Internal Revenue Service when the historic property is sold. The recapture is the difference between the taxes which would have become due for the property and the taxes actually paid.

The tax benefits available for historic structures are:

Option 1: Amortization Over five years, rehabilitation costs, including professional fees, may be deducted from income revenues for tax purposes. This incentive is designed to make the tax benefits associated with historic rehabilitation comparable with tax benefits available for new construction.

Option 2: Accelerated Depreciation When rehabilitation costs exceed \$5,000 or are more than the value of the building without the land, the owner may take tax deductions for the depreciation of the property at an accelerated rate. The annual deduction for property depreciation is ordinarily calculated by dividing the cost of construction or improvements by the number of years of useful life the property will have. The resulting figure is deducted from income annually during the useful life of the structure. For historic buildings, this process can be

accelerated by multiplying the annual depreciation cost which is deductible from income by 1.5 each year until the total cost of rehabilitation has been deducted.

Persons rehabilitating historic buildings can use Option 1 or 2 in calculating annual tax payments, but not both. The third type of tax incentive, described below, can be used in addition to Options 1 and 2.

Other Benefit: Investment Tax Credit The owner may deduct 10% of rehabilitation costs directly from taxes as an investment credit. This deduction can be taken only once and is applicable to any income producing building in use for 20 years or more. Although this benefit is available for the rehabilitation of both historic and non-historic buildings, this deduction cannot be taken for new construction.

Should any sound property certified as an historic site be demolished, preferential tax treatment will be denied. Demolition costs will be added to land value to increase the tax basis of land and cannot be deducted as a business expense.

Applicability

To qualify, a building must be listed in the "National Register of Historic Places" or nominated for listing by the Massachusetts Historical Commission (MHC). Any property which has contributed to the development of the Commonwealth and the nation, which has not been substantially altered and which is at least 50 years old, may be eligible for listing in the Register. An eligible building may be within a National Historic District, which is a predesignated area of historical significance. If contained within a National Historic District, the property must be considered a significant part of said district.

The tax incentive program is designed for commercial and rental housing enterprises. The property in question must contain income-generating activity.

Process

Step 1: Certifying the Structures The owner/developer completes the first part of a rehabilitation certification obtained from MHC. If the structure lies within a National Historic District the owner must include in the application a statement concerning the building's significance to the district.

Should the property not be approved immediately for historic listing, the MHC should be contacted for processing of a nomination. With the endorsement of the State Historical Preservation Officer (SHPO), owners may proceed with the application process. (The owner should be aware

that final project certification cannot be made until the property is listed and rehabilitation completed and verified).

Time required for certification: 3-6 months.

Step 2: Review of Proposed Rehabilitation The owner completes the second part of the MHC certification application. It includes a structural history and condition profile, narrative or graphic description of rehabilitation plans, and, most importantly, a statement describing the project's impact on the property's historic nature and construction. The application may be completed while historic certification is pending approval.

The U.S. Secretary of Interior's "Standards for Rehabilitation" must be followed in the certification application proposal. The intent of these standards is to maintain, restore and preserve the original or other distinctive features of a property.

Applications and State Historic Preservation Officer (SHPO) recommendations are forwarded by the MHC to the U.S. Department of the Interior for final review.

Time required for rehabilitation application approval by MHC and U.S. Secretary of the Interior: 3 months.

Step 3: Altering the Rehabilitation Proposal (optional) If any changes are made in the original redevelopment plans or construction, the MHC should be contacted.

Step 4: Rehabilitation and Final Approval If the U.S. Secretary of the Interior approves the proposal, the owner may commence rehabilitation of the structure.

A "Certificate of Rehabilitation" will not be issued until project completion. The owner must certify in writing that the project is completed and provide photographs of the completed work. The MHC may require a site inspection.

If work does not meet proposed objectives, preferential tax status will not be granted.

Time required for final approval for preferential tax treatment: 2 weeks to 3 months.

The entire process depends upon how long the property owner or developer takes to complete the application and the rehabilitation process.

Contact

Massachusetts Historical Commission
Department of the State Secretary
294 Washington Street
Boston, MA 02108
727-8470

Boston Landmarks Commission
Boston Redevelopment Authority
Boston City Hall
Boston, MA 02201
722-4300

Grants-in-Aid

The MHC administers federal grants for the acquisition and rehabilitation of historic buildings, depending upon the annual availability of funding.

Grant requests may be made for \$2,500 to \$10,000 if the project costs \$5,000 to \$200,000. Up to 50% of project costs may be financed for approved projects.

Applicability

Applicants must be individuals, private non-profit groups, government agencies, or private organizations. If property has yet to be purchased, the current owner's consent must be obtained to proceed with grant application.

Buildings must be listed individually in the "National Register of Historic Places" or be within a National Historic District to qualify for grant assistance. (See previous subsection for information concerning historic certification).

Buildings under government ownership which will continue in governmental use may be subject to funding constraints. In this case the MHC will accept a pre-application to determine chances of eligibility.

Process

Step 1: Pre-Application Developer completes MHC pre-application form and provides attachments listed below. Pre-application materials are organized into a pocket folder and submitted to MHC. The MHC will provide counseling with respect to design and application completion.

Included in the pre-application package are: financial analysis of project, condition description, preservation priorities, cost estimates, public benefit statement, at least one 9" x 11" photograph of building, and a certification that proposed improvements will be maintained according to the MHC standards.

The MHC evaluates the pre-application by considering proposed accomplishments, dimensions, administrative feasibility, and eligibility for federal assistance.

Recycled Municipal Buildings

Contact

Time for MHC approval of pre-application: 2 months.

Step 2: Final Application Applicants are advised of the status of the pre-application within two months. Developers of preliminarily approved projects are notified of their eligibility to submit a final application.

The entire application process from first contact with MHC to final approval: approximately 9-12 months.

Massachusetts Historical Commission
Department of the State Secretary
294 Washington Street
Boston, MA 02108
727-8470

Boston Landmarks Commission
Boston Redevelopment Authority
Boston City Hall
Boston, MA 02201
722-4300

It is the City of Boston's policy to encourage the reuse of municipal buildings no longer in public use. These buildings include schools, firehouses, police stations and libraries.

The renovation of these buildings generally costs one-third less than new construction and creates more jobs than new construction due to its labor intensity. It also preserves a high quality of craftsmanship which cannot be feasibly duplicated today, and work can proceed in virtually any weather. In addition, old public buildings usually offer a central location.

Applicability

Developer proposals to re-use public buildings are evaluated by the Public Facilities Department according to the following criteria:

- The financial strength and previous experience of the developer.
- The financial feasibility of the proposed project.
- The compatibility of the proposed use of activity with the immediate surroundings and the needs of the neighborhood.
- The quality of the proposed design.
- The general benefits likely to result to the community and the city, including anticipated tax revenue.

Process

- The professional competence and experience of the other principals.

Declaration of Surplus Property When a building is scheduled to become surplus, the Public Facilities Department (PFD) is notified by the city agency (School Department, Fire Department, etc.) which has held tenancy. In turn, PFD determines whether any other city agency has need of the property.

Evaluation of Re-Use Potential If no other City use is contemplated for the property, PFD evaluates the building's reuse potential. Depending upon this analysis and the interest shown in the building, the Department may stipulate a limited range of new uses for the building and, later, may solicit proposals accordingly.

Estimated time required: two months maximum.

Advertisement of Surplus Properties The City publicly advertises the availability of its surplus properties. Advertisements are placed in the two major daily newspapers (the "Boston Globe" and "Boston Herald American"), in appropriate neighborhood newspapers, and sometimes in certain real estate publications. Advertisements are run for a minimum of two consecutive weeks and set forth the information that all prospective developers must submit to the city concerning their proposals. This information is to be expressed in a "Letter of Intent," as discussed below.

Time from date of first advertisement to proposal submission deadline: six weeks.

Response by Developers - "Letters of Intent" The Public Facilities Department invites proposals from both individuals and organizations, public or private. So defined, any developers wishing to express their interest in acquiring and developing surplus buildings and sites must submit the following items in a "Letter of Intent":

- Developer's name, address, and description of professional activities and development experience. Names and affiliations of development team members, including the architect, contractor and any other principals involved in the project, should be included.
- Detailed statement of proposed reuse. This should include a description of both the activities and physical improvements proposed for the property.

- A financial statement indicating the manner of financing contemplated and the developer's ability to arrange it.
- Discussion of any public benefits associated with the project including purchase price, expected tax revenue, public amenities, etc.

The Public Facilities Department welcomes any additional information which may be of assistance in evaluating the proposal.

In the course of preparing a proposal, developers may arrange to inspect the property or obtain floor plans by contacting the Surplus Building Coordinator at the Public Facilities Department.

The Public Facilities Department may conduct an informational meeting during which building specifications and review criteria will be provided. These meetings are designed to provide prospective developers with information which may be useful in preparing proposals.

Evaluation of Proposals The Public Facilities Department will acknowledge all "Letters of Intent" and coordinate the review of all proposals.

At any time during the review of proposals, PFD may ask a developer to provide additional information or detail on any aspect of his/her proposal. Negotiation of a sales price, based on an official property appraisal commissioned by PFD, may also take place during this period.

Time required: approximately one month.

"Tentative Developer" Selection Upon completing its evaluation of proposals, PFD staff will summarize its findings and submit a formal report and recommendation, through the Director, to the Public Facilities Commission. Key features of the recommended proposal are noted in this report.

If, based upon this information, the Commission agrees with the Director's recommendation, Commission members normally vote their approval. In certain cases, the Commission may wish to obtain further information about a proposal and will defer a decision until that information is made available.

Once the Commission reaches a decision on developer selection, it awards the designation of "Tentative Developer." As the term implies, a "Tentative Developer" is

assured that title to the property will be conveyed to him/her provided that (s)he satisfies any remaining requirements PFD may impose. These may include:

- Obtaining necessary zoning changes, building permits, and various licenses.
- Final agreement on property taxes and purchase price to be paid to the City.
- Submission of further design plans acceptable to the City and any of its design review agencies such as the Boston Landmarks Commission.

Final Developer Designation and Conveyance of the Property Under Massachusetts General Laws, Chapter 642, Acts of 1966, the Public Facilities Department is directly responsible for the disposition of all school properties once they are declared surplus by the Boston School Committee. For other municipal properties the approval of the City Council (See Section 6, "City Council Hearings") is also necessary. In all cases final approval by the Mayor is required.

Once the developer has met any outstanding requirements and approvals have been obtained, the Public Facilities Commission will formally vote to sell the property and provide notification of its intent to sell in the "City Record." After the notice has appeared in the "City Record" for two weeks, the Public Facilities Commission will vote to execute the sale and the Public Facilities Department legal staff will proceed with formal conveyance. As in all legal proceedings, developers are expected to have appropriate legal counsel to work with Public Facilities Department legal staff in transacting the conveyance.

Time required from date of advertisement to conveyance: approximately four months. (This may take longer depending on the availability of financing for the project, the requirements imposed on a "Tentative Developer," and the number of competing proposals.)

Contact

Surplus Buildings Manager
Public Facilities Department
Boston City Hall, Room 816
Boston, MA 02201
725-4824

Acquiring A Site

Negotiated Purchase (Public Agency)

Applicability

Negotiated purchase is the preferred means by which property is acquired for a public purpose. Property acquired by negotiated purchase is generally bought at its appraised value. EDIC/Boston and the BRA can purchase property to facilitate private sector development in designated areas. The Public Facilities Department purchases property for new City-operated facilities.

To acquire land and/or buildings for development in an Urban Renewal Area or an Economic Development Area, EDIC/Boston or the BRA will attempt to purchase the site from the owner. If a purchase price is not agreed upon, EDIC/Boston or the BRA can acquire the property using eminent domain powers.

Process

The public agency has each individual parcel appraised by two independent professional appraisers. Appraisal time varies by number of parcels and size: approximately 1-2 months.

The agency researches sites at the Registry of Deeds. This research insures that the owner has clear title to the property. Releases will be needed for any encumbrances.

Once a selling price is agreed upon by the BRA or EDIC/Boston and the property owner based on the appraised value of the property, the grantor signs an option to sell with the agency representative.

Attorneys prepare the deeds and secure any releases of liens that are needed.

Approximate time: three months.

Contact

Director
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

Director
Boston Redevelopment Authority
Boston City Hall, 9th floor
Boston, MA 02201
722-4300

Director
Public Facilities Department
Boston City Hall, 8th floor
Boston, MA 02201
725-4866

Eminent Domain

Applicability

Eminent domain refers to the power of the state or municipality to take property for a public purpose upon payment of “just compensation.” Eminent domain is used by EDIC/Boston and the BRA when this means of acquisition is essential to the implementation of an urban renewal or economic development project.

Eminent domain power has been granted by the State to the Public Facilities Department (PFD), Boston Redevelopment Authority (BRA), and Economic Development and Industrial Corporation of Boston (EDIC/Boston) through enabling legislation. While the Public Facilities Department can use its eminent domain power to acquire sites for City-operated facilities such as schools and fire houses, EDIC/Boston and the BRA can also use this power to facilitate private sector development. This development must occur in a designated BRA Urban Renewal Area (See Section 3, “BRA Urban Renewal Areas”) or EDIC/Boston Economic Development Areas (See Section 3, “Economic Development Areas”). EDIC/Boston and the BRA use eminent domain only when a site is blighted or decadent, when a purchase cannot be negotiated with the owner, and when the parcel in question is essential for a project which will physically and economically improve the area.

The public agency must notify owners of record of its intent to acquire land by negotiated purchase. Eminent domain power must be exercised in accordance with the provisions of Chapter 79 or Chapter 80 of the General Laws of Massachusetts and the Federal Uniform Real Property Acquisition Act.

Process

The BRA must first prepare an Urban Renewal Area Plan or EDIC/Boston must first prepare an Economic Development Plan. (See Section 3, “Locating in a Specially Designated Area”).

These plans must be presented at a public hearing held by the City Council, and be approved by the City Council and the Mayor (See Section 6, “Public Hearings”).

The agency planning the taking must have the parcels appraised by two independent professional appraisers. The owner must be contacted and given the opportunity to accompany the appraiser on his/her inspection of the property.

The agency must provide a written offer to purchase the property. The owner is given a reasonable time to respond, usually 30-60 days.

If the owner agrees to accept the offer, the agency and the owner will enter into a purchase contract.

If the purchase offer is turned down, the Board of Directors of the agency may vote an “order of taking,” which must be filed at the Registry of Deeds. The process by which property is taken by eminent domain is referred to as “condemnation.”

The agency then mails a letter (legal notice by registered mail) informing the owner that the land has been taken.

The agency mails a second letter (by registered mail) to the owner stating that the damage award is available at the taking agency.

Contact

Director
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

Director
Boston Redevelopment Authority
Boston City Hall, 9th floor
Boston, MA 02201
722-4300

Director
Public Facilities Department
Boston City Hall, 8th floor
Boston, MA 02201
725-4866

Tax Foreclosure

Tax foreclosure is a procedure by which the City takes ownership of parcels of real estate for unpaid real estate taxes. Taxes which remain unpaid are a “lien” upon the land. The lien is an encumbrance on the taxpayer’s title, much like a mortgage. A property is referred to as being in “tax title” when the City initiates proceedings against it. Foreclosed properties are sometimes acquired by private parties, the EDIC/Boston or the BRA for development projects.

Applicability

If property taxes are not paid within 15 days after their due date, the owner is sent a demand for payment. The tax title may be imposed 14 days after the demand for payment is sent to the owner. To identify parcels with unpaid taxes, a developer should request a municipal lien certificate from the Boston Collector-Treasurer’s office. If taxes are outstanding and a tax title lien has not been filed on the property, EDIC/Boston or the BRA can advance this process.

Process

The current tax title procedure is to assemble all the parcels in each of the City’s 22 wards which have tax

delinquencies and to impose a lien on each one on the same day. This day is called the "taking date." It takes approximately six months after the second-half tax payment due date to assemble the list of delinquent parcels and to prepare a lien for each one. Therefore, the tax liens are taken in the late fall or early winter of each year for delinquencies related to the fiscal year which ended the preceding June 30th.

Once imposed, the tax title lien is recorded in the Suffolk County Registry of Deeds. The Tax Title Section of the City's Treasury Department continues the effort to collect the delinquent taxes, which now accrue interest at a higher rate. Again, the taxpayer is sent several notices and requests for payment. If the tax debt and all incidental charges are paid in full, then the lien will be released, and the owner's title will be cleared.

If the notices are continually ignored, and payment is not made for six months after the taking date, the Collector-Treasurer may prepare a petition to the Land Court requesting that the City be allowed to foreclose its lien. If the land is abandoned, then the petition may be filed any time after the taking date. If this request is granted by the Land Court, legal title to the realty will vest in the City, i.e., the City will own the property.

Time required: six months.

If someone is interested in purchasing an abandoned parcel on which there is a tax title lien, (s)he may expedite the foreclosure process by requesting that the Collector-Treasurer prepare a petition on that parcel as soon as possible. The interested person should send a letter of interest to the Collector-Treasurer. This letter should be in conformance with guidelines for such letters which are available from the Collector-Treasurer's office.

If the foreclosure is contested, the Land Court judge will schedule a hearing. This may delay the foreclosure process. However, if the foreclosure is not contested, a decision from the Land Court is generally prompt.

Time required: one year for contested properties.

Either the taxpayer or another interested person may pay off the taxes and charges and thereby redeem the title for the owner. If the taxes remain unpaid, the City requests a final decree from the Land Court.

Once the final decree is granted, the City becomes the legal owner of the land and the taxpayer is "foreclosed" from redeeming his/her title. The final decree is recorded at the Registry of Deeds, and the City's Assessing Depart-

ment's records are updated to reflect ownership of the parcel by the City. Any party other than the City wishing to contest the final decree must bring such a proceeding in the Land Court within one year after the final entry of the decree.

Foreclosed property is placed with the City's Real Property Department for eventual auction. In economic development projects or urban renewal projects the Real Property Department may transfer the foreclosed property to EDIC/Boston or the BRA for development.

Contact

Collector-Treasurer's Office
Boston City Hall
Boston, MA 02201
725-4138

Real Property Commissioner
Boston City Hall
Boston, MA 02201
725-4104

Director
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

Director
Boston Redevelopment Authority
Boston City Hall, 9th floor
Boston, MA 02201
722-4300

Fee

The cost of a Municipal Lien Certificate ranges from \$10.00 to \$100.00. For residential property the Lien Certificate costs \$10.00 - \$40.00 depending on the number of units in the building. For commercial, industrial or mixed-use property the cost is \$10.00 if it is valued for property tax purposes at under \$10,000, or \$100.00 if it is valued at a higher amount. Lien Certificates for vacant land cost \$10.00 for sites under one acre and \$50.00 if the site is over one acre.

Matching Financial Needs



The City has the capacity to provide financial assistance to firms locating or expanding in Boston. Financial assistance is made available through a variety of resources - City, State, and Federal - in combination with private financing. Of the major programs outlined below, the BRA primarily assists large commercial projects through the UDAG program. EDIC/Boston, operating city-wide for industrial firms, provides assistance through all of the programs listed below. In particular, it established the Boston Local Development Corporation as the local industrial financing entity for the SBA 502 Program and the Targeted Loan Program. EDIC/Boston staff, upon review of the financial needs of an industrial company, can determine the appropriate match with the available finance programs. Then as applicable, the agency will provide direct loan packaging assistance or, in the case of state financing programs, make the appropriate referral.

Long-Term Fixed Asset Financing for Small Businesses

The U.S. Small Business Administration's (SBA) 502 program can provide long-term financing (up to 25 years) to small businesses for acquisition, construction, modernization or conversion of plants, including the purchase of land, machinery, and equipment.

The SBA 502 program is available only through an SBA-approved local development company. To make the SBA 502 program available to industrial firms city-wide, EDIC/Boston established the Boston Local Development Corporation (BLDC), which functions as Boston's designated development company for industries.

The SBA 502 program can be structured on a direct or guaranteed basis. Under the direct plan, a private lender provides the top 60%, the SBA lends 30% at below market interest rates, and the BLDC and the small business concern provide the remaining 10%. Due to the limited level of direct SBA funds, the program more commonly is structured on a guaranteed basis whereby the SBA guarantees a private lender loan up to a maximum of \$500,000. Up to 90% of the total financing may be provided by the private lender; the remaining 10% is provided by the small business concern and the Boston Local Development Corporation (BLDC). The program enables a more attractive rate and term, and a low down payment. This helps the firm to retain working capital to finance future growth and better leverage other financing needs.

Applicability

Smaller industries expanding or locating in the City of Boston are eligible for SBA 502 assistance through EDIC's Boston Local Development Corporation. Eligibility is generally determined by the following two tests:

- 1) Total net worth is \$6 million or less, *and*
- 2) Net profit after taxes for the last two years averages \$2 million or less.

Process

EDIC/Boston performs a preliminary evaluation of the proposed financing based on a description of the project to be funded and the firm's financial history.

EDIC/Boston will assist the firm with financial packaging and the preparation of a formal application to obtain the necessary commitments from a bank, the Boston Local Development Corporation, and the Small Business Administration. Applications generally include the following business and financial information:

I. Business Information

- A. Statement of Purpose
- B. History and Description

- C. Project Summary and Benefits of Financing
- D. Resumes of Key Management

II. Financial Information

- A. Sources and Uses Statement
- B. Projected Balance Sheet
- C. Projected Income Statement
- D. Projected Cash Flow
- E. Historical Financial Data

EDIC/Boston will assist the firm with closing procedures which include the finalization of all legal documents related to the loan agreement.

Total time required: three months.

Contact

Director of Financial Assistance
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

Fees

Screening and Processing - \$250.00

Loans For Fixed Assets Or Leasehold Improvements In Targeted Areas

The Boston Local Development Corporation, established by EDIC/Boston, offers a direct fixed asset financial assistance program for industrial firms expanding or locating in targeted areas of the City.

The program can finance an industry's purchase of land and buildings, construction or modernization of facilities and purchase of machinery and equipment. In EDIC/Boston economic development areas only, the program also can finance leasehold improvements.

The Boston Local Development Corporation (BLDC) can lend \$150,000 or 30% (whichever is less) of a total financing package. BLDC financing is offered at low interest rates and is subordinated to the participation in the loan package by private lending institutions. The small business concern provides up to 10% of the project costs.

Applicability

Industrial enterprises locating or expanding in the following named target areas:

- (1) The industrial area in the City's Roxbury/South End section which surrounds the Crosstown Industrial Park and includes the Newmarket Area and the area extending up Albany Street.

Loans For Working Capital And Fixed Assets For Small Businesses

	<p>(2) EDIC/Boston economic development areas including the Boston Marine Industrial Park, Crosstown Industrial Park, and Alsen Mapes Industrial Park.</p> <p>(3) The industrial areas of Allston-Brighton and Hyde Park.</p>
Process	<p>EDIC/Boston performs a preliminary evaluation of the proposed financing based on a description of the project to be funded and the firm's financial history.</p> <p>EDIC/Boston will assist the firm with financial packaging and the preparation of a formal application to obtain the necessary commitments from a bank and the BLDC.</p> <p>Following the bank commitment, an application is submitted to the Boston Local Development Corporation for review and approval.</p> <p>Upon approval, EDIC/Boston assists the firm with closing procedures, including the finalization of all legal documents related to the loan agreement.</p> <p>Total time required: two to three months.</p>
Contact	<p>Director of Financial Assistance EDIC/Boston 18 Tremont Street, Suite 300 Boston, MA 02108 725-3342</p>
Fees	<p>Screening and Processing - \$250.00</p> <p>The U.S. Small Business Administration 7(A) Program is for firms which need working capital, as well as fixed asset financing, including leasehold improvements. The program most commonly is structured on a guaranteed basis, whereby the private lender provides the financing with an SBA guarantee for 90% of the loan up to the SBA maximum of \$500,000. Loans for working capital may extend up to seven years and for fixed assets up to 20 years. The program may be used singly or in combination with other financing programs, such as the SBA 502 program.</p>
Applicability	<p>The company must be defined as a small business according to SBA guidelines. This definition varies with the type of firm and includes annual receipts, net profit after taxes, net worth, and number of employees.</p> <p>Industrial firms are eligible for EDIC/Boston assistance in loan packaging.</p>

Industrial Revenue Bonds

Process

EDIC/Boston performs a preliminary evaluation of the proposed financing based on a description of the project to be funded and the firm's financial history.

The agency assists the firm with financial packaging and preparation of a formal loan application in order to obtain the necessary commitments from a bank and the SBA.

Following receipt of the bank commitment, a formal application is submitted to SBA for review and approval. Once approved, the loan is closed.

Total time required: three months.

Contact

Director of Financial Assistance
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

Tax-exempt industrial revenue bonds (IRB) are available to eligible firms through Boston's Industrial Development Financing Authority (IDFA), staffed by EDIC/Boston. An IRB provides financing on more favorable terms than are offered on conventional loans for the construction, acquisition, equipping, or improvement of facilities. Expenditures for pollution control, solid waste disposal, resource recovery facilities and equipment also may be financed. In addition these expenses may qualify for a special 100% guarantee by the Small Business Administration.

An IRB can finance up to 100% of the eligible project and is secured by the credit of the firm. IRB's are longer-term and at lower interest than conventional loans, but necessary fees, such as bond counsel and printing costs, make them uneconomical for projects under \$200,000. If additional security is required by a lender, repayment of a portion of the bond may be insured by the Massachusetts Industrial Finance Agency (MIFA).

Applicability

Industrial projects are eligible city-wide. Commercial projects may be eligible if the property is located in an approved Commercial Area Revitalization District. (See Section 3, "BRA CARDS").

Process

A firm contacts EDIC/Boston's Financial Assistance Department to determine whether industrial revenue bond financing is feasible for its project. If an IRB is the most appropriate match, the applicant completes and submits and IDFA Project Review Statement (PRS). The applicant also must submit a letter of intent from the lender who will be purchasing the bond.

EDIC/Boston staff reviews the PRS to ensure completeness and conformance to public purpose criteria, and meets with the applicant to discuss the project and the IDFA process.

EDIC/Boston staff schedules consideration of the application for the monthly IDFA Board meeting and the applicant's bond counsel prepares the necessary resolutions for IDFA approval. The applicant and bond counsel make a brief presentation at the IDFA Board meeting.

The EDIC/Boston staff submits project documentation to the Mayor and City Council for approval. Council approval is based on the recommendation of the Council's Committee for Planning and Development which conducts a hearing at which the applicant, bond counsel and IDFA present the project (See Section 6, "Public Hearings"). If the City Council accepts the resolution approving the issuance of the industrial revenue bond, the resolution is forwarded to the Mayor for approval.

The point at which the Mayor approves the project is the "inducement point," after which the applicant may incur costs to be covered by the bond. No costs, other than professional fees, may be incurred prior to that point.

Following City Council and Mayoral approval, the applicant and lender complete negotiations and arrange final financing terms. Once an agreement has been reached, the applicant is scheduled for a second IDFA Board meeting at which the financing documents for approval are presented by the applicant.

The approved financing package is then forwarded to the Massachusetts Industrial Finance Agency (MIFA) for approval at least 15 working days prior to the MIFA Board meeting. MIFA meetings are generally scheduled on the first Thursday of each month. An appearance by the applicant or IDFA at this meeting may be requested, but this is unlikely.

After the State issues a "Certificate of Convenience and Necessity," the bonds are issued.

Time required to obtain IDFA bond for an industrial project: four to six months. (Six to eight weeks are required to reach the "inducement point").

Contact

Director of Financial Assistance
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

Fees

Boston IDFA does not charge any processing or legal fees to applicants. Applicants, however, should be aware that MIFA does have a schedule of fees which are to be paid to MIFA at the time of the issuance of the Certificate of Convenience and Necessity:

Bond Amount	Fee
Up to \$1,000,000	¼ % of bond amount; minimum \$500.00
Over \$1,000,000	\$2,500 plus 1/10 % of bond amount over \$1,000,000

In addition, MIFA, in some cases, may charge legal fees.

Assistance For Larger Or More Complex Projects

U.S. Department Of Commerce Economic Development Administration Loans

Applicability

These loans may finance working capital (up to seven years) or fixed assets (up to 25 years). The EDA loan program can be structured on a guaranteed or direct basis similar to the SBA 7(A). EDA can guarantee 90% of a loan made by a private lending institution. The Administration's direct participation is used selectively when a firm's size or type and location, in combination with its financing needs, constitute too great a risk for the lender or exceed the bank's lending capacity.

Generally, the size of the loan should be at least \$1 million due to the lengthier processing time and the availability of other programs for small loan packages. EDA loan participation, either guaranteed or direct, is based on \$10,000 for every job created.

Process

Review the project with EDIC/Boston's financial assistance staff.

With EDIC/Boston's assistance, review the project with the EDA economic development representative for Massachusetts.

With EDIC/Boston's assistance, present summary financial statements and other information to the Business Development Loan Office in Philadelphia.

Submit preliminary application to the Business Development Loan Office in Philadelphia.

Urban Development Action Grants

Contact

Upon favorable preliminary EDA evaluation, submit formal application to the Business Development Loan Office in Philadelphia.

Total time required: 6 months.

Director of Financial Assistance
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

This U.S. Department of Housing and Urban Development (HUD) program is aimed at stimulating private investment, creating jobs, and broadening the tax base of distressed cities. The City of Boston uses the UDAG grant as a low-interest loan to firms in order to make private investment in Boston competitive with investment in other communities. UDAG's can be used to fund one or more components of a project when such low interest financing is needed for extraordinary costs or when financing is unavailable from private lenders.

HUD allows grantees to use UDAG's as either grants or loans, at the discretion of the grantee. They can also be used in part or in total for City-constructed public improvements such as sidewalks, parks, or streets for which no reimbursement will be required from the developer. Project components which may require UDAG financing include site acquisition, preparation or clearance, the construction of transportation-related improvements such as rail sidings, docks or parking facilities or the construction of building foundations. Wage levels set under the Bacon-Davis Wage Act are required for UDAG funded construction.

Applicability

The project must leverage at least 2.5 private dollars for each expended UDAG dollar and must generate new jobs and property tax revenue. It is expected that commercial and industrial projects will have higher leveraging ratios than housing projects. Preference is given to projects in designated Economic Development or Urban Renewal Areas. Although UDAG's may be used as outright grants, preference is given to projects for which the City will receive a direct return on its UDAG investment. The program is highly competitive.

Process

EDIC/Boston or the BRA will prepare the grant application with the developer. Necessary public approvals will be obtained by EDIC/Boston or the BRA in concert with the industry or developer which include submission of the application to the City Council and the holding of a community hearing (See Section 6, "Public Hearings").

With EDIC/Boston or BRA assistance, the developer must obtain all essential project commitments, such as leasing or acquisition agreements and financing arrangements.

Time required: 2-3 months.

HUD will receive and consider applications on a quarterly basis.

Time required for HUD review: two months.

If HUD awards the grant, the developer and the agency which prepared the grant application must submit any outstanding project commitments and any other materials requested by HUD. Upon favorable review of these materials, HUD will authorize "draw down" of the grant.

Time required for "draw down" between submission of request and HUD approval: 2-6 months depending upon the speed of project implementation.

Contact

Director of Development (for industrial development)
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

Coordinator of Commercial Development Analysis
(for commercial, office, hotel) or
Coordinator of Residential Development Analysis
(for housing)
Boston Redevelopment Authority
Boston City Hall, 9th floor
Boston, MA 02201
722-4300

State Financing Programs

Massachusetts Business Development Corporation (MBDC)

Contact

The Massachusetts Business Development Corporation (MBDC) is a private corporation under State charter which provides medium to long-term loans to private-for-profit and non-profit firms unable to obtain financing from conventional lenders. Loans may be used for purchase or construction of fixed business assets (land, plant, equipment) and for working capital loans.

Massachusetts Business Development Corporation
One Boston Place
Boston, MA 02108
723-7515

Massachusetts Community Development Finance Corporation (CDFC)

Contact

The Massachusetts Community Development Finance Corporation (CDFC) is a public corporation that invests money in business enterprises sponsored by community development corporations in economically depressed areas of Massachusetts. These business enterprises must be unable to secure financing through conventional funding sources. Investments may take the form of loans and/or equity. The rates and terms set for each project are negotiable.

Massachusetts Community Development Finance Corporation
131 State Street, Suite 600
Boston, MA 02109
742-0366

Massachusetts Industrial Finance Agency (MIFA)

Contact

The Massachusetts Industrial Finance Agency (MIFA) is a State agency which provides mortgage insurance and also issues tax-exempt revenue bonds on a statewide basis. In the City of Boston, MIFA gives final approval to industrial revenue bonds issued through the Boston Industrial Development Financing Authority (See Section 4, "Industrial Revenue Bonds"). Both the Industrial Mortgage Insurance Program and Industrial Revenue Bonds can be used for the acquisition, construction, rehabilitation, and equipping of industrial development facilities, pollution control facilities, or solid waste disposal facilities. Commercial projects are also eligible if they are located in approved Commercial Area Revitalization Districts (See Section 3, "BRA CARDS").

Massachusetts Industrial Finance Agency
131 State Street, Suite 600
Boston, MA 02109
723-4242

Massachusetts Technology Development Corporation (MTDC)

Contact

The Massachusetts Technology Development Corporation (MTDC) is an independent public corporation which provides direct financing and management assistance to technology-based companies in Massachusetts which are just starting up or in the early stages of operation.

Massachusetts Technology Development Corporation
131 State Street
Boston, MA 02109
723-4920

Massachusetts Capital Resource Company (MCRC)

Contact

The Massachusetts Capital Resource Company (MCRC) was formed in 1978 by nine of the State's domestic life insurance companies. MCRC provides unsecured loans, in the form of debt and equity financing, to small and medium-size firms which are unable to secure comparable financing from other sources.

Massachusetts Capital Resource Company
545 Boylston Street
Boston, MA 02116
535-3900

Massachusetts Government Land Bank (MGLB)

Contact

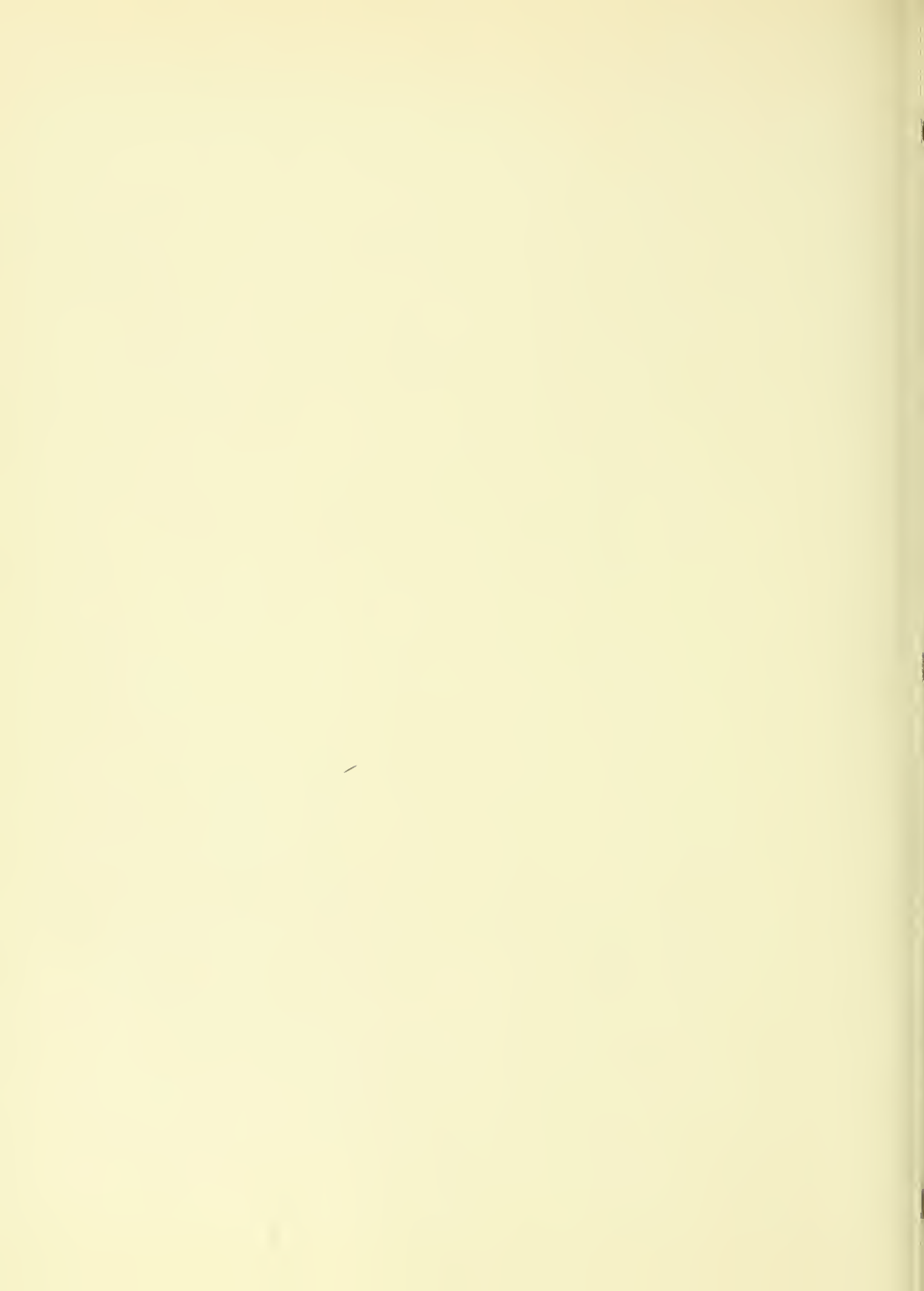
The Massachusetts Government Land Bank (MGLB) is an independent State agency which works on the redevelopment of state surplus, federal surplus, and "substandard, decadent, or blighted" properties. The GLB considers applications for both small and large industrial, commercial, residential, and mixed-used development. Applicants must be cities or towns. GLB now provides technical assistance and financing for a wide variety of redevelopment projects including acquisition, rehabilitation and/or site/construction improvements. They are financed through \$40 million dollars in Massachusetts General Obligation Bonds, reducing the interest rate for municipalities.

Massachusetts Government Land Bank
1 Ashburton Place, Room 2109
Boston, MA 02108
727-8257

Determining Taxes



Developers can increase their net income by using the many tax incentives offered by the City, State, and Federal governments. This section on taxes is primarily designed to explain how City property taxes are determined and the special incentives available from the BRA and EDIC/Boston. However, State and Federal incentives are described in brief.



Rate and Assessment

Applicability

Annual property taxes due on each parcel of land are determined by the assessed value of the land and building, the category of land use, and the tax rate.

All parcels are subject to taxation except those owned by non-profit organizations which have applied for and received exemptions.

Process

When property is purchased but not improved, the property taxes to be paid will remain the same until: (1) there is a property tax rate increase, or (2) there is a reassessment and revaluation of property. It is anticipated that a city-wide revaluation will be completed by 1983. The assessed value of any property in the City is available to the public at the Assessing Department.

If the property will be substantially upgraded, the Assessing Department should be notified and a meeting should be established with Assessing Department officials to discuss its impact on the value of the site.

The number of thousands of dollars in the assessed value of each property is multiplied by the tax rate to determine the amount of taxes owed on the property. The 1981 tax rate in the City of Boston is \$272.70. The effective tax rate for each fiscal year is generally determined in September.

If a property owner believes that an assessment is too high, (s)he may file an application for an abatement with the Assessing Department. The application states the name of the owner, the location of the property, and the reason for the abatement request. The application must be filed no later than October 1 of the year for which the abatement would be effective or 30 days after receipt of the tax bill, whichever is earlier.

Property taxes must be paid by the due date even if an abatement is requested. Exceptions are made only under extraordinary circumstances.

The aggrieved taxpayer meets with the Street Assessor for his/her neighborhood. Justification for lowering the property's assessment must be presented at this time. The nature of this justification varies on a case by case basis.

The Street Assessor makes an "Opinion of Value."

If the taxpayer agrees with the "Opinion of Value" (s)he signs the Opinion and it is submitted to the District Director of the Assessing Department, the Board of Review or the Commissioner of the Assessing Department.

The "Opinion of Value" is evaluated under the guidelines provided in Mass. General Laws, Chapters 58-59, 59a, and 60 along with criteria developed by the Assessing Department.

Upon favorable review, the Commissioner of the Assessing Department will issue an abatement. If an abatement is granted after taxes are paid, the owner will receive a refund.

If the aggrieved taxpayer does not agree with the "Opinion of Value" (s)he may appeal it to the State Appellate Tax Board, a division of the State Department of Revenue.

The Appellate Tax Board holds a hearing at which time arguments are presented regarding the value of the property by the aggrieved taxpayer and an attorney representing the City of Boston.

The State Appellate Tax Board renders a decision which can be appealed by either party to the Supreme Judicial Court.

Contact

Street Assessor
The Assessing Department
Boston City Hall, 3rd floor
Boston, MA 02201
725-4296

EDIC/Boston Agreements

EDIC/Boston's enabling legislation empowers the agency to reach agreement with the City for in-lieu-of-tax payments. EDIC/Boston lease agreements provide for tenant in-lieu-of-tax payments to the Corporation. Responsibility for making in-lieu-of-tax payments to the City rests with EDIC/Boston. The payments provide tax certainty for the developer by assuring that tax increases will come only after designated time periods and in predetermined amounts.

Applicability

A developer must locate on EDIC/Boston-owned property. Developers constructing new facilities at the Crosstown Industrial Park or Alsen Mapes Industrial Park make in-lieu-of-tax payments as required by the provisions of land lease agreements. In-lieu-of-tax payments made by EDIC/Boston for tenants at the Boston Marine Industrial Park are included in rental costs.

Process

EDIC/Boston and the City determine the appropriate range of taxes for buildings and land in the area, as well as for different types of construction.

An agreement is reached between EDIC/Boston and the developer regarding the final amount of in-lieu-of-taxes paid per square foot of building space.

This agreement is usually represented in the lease agreement for the parcel and lasts until termination of the lease.

BRA Chapter 121A Agreements

Contact

The Board of Directors of EDIC/Boston must approve the agreement.

EDIC/Boston will make all necessary arrangements for payment to the City.

Time required: three weeks.

Director
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

Applicability

Chapter 121A authorizes the exemption of certain Massachusetts developments from real property taxes by enabling them to make in-lieu-of-tax payments based on the income derived from the project.

The project must be in a blighted, open, decadent or sub-standard area where development will not occur through the ordinary workings of private enterprise.

Process

The developer files a letter of intent with the BRA. Upon preliminary BRA approval, the developer submits an application for a 121A agreement to the Boston Redevelopment Authority (BRA).

Information requested on the application form includes: financial and economic impact data, zoning, zoning variances requested, proposed tax agreement with the City, regulatory agreement with the City, description of the project including existing use and desired construction (site plan, elevation, etc.), environmental notification and relocation plan.

A plan hearing is conducted by the BRA within 60 days of the application.

The BRA Board reviews the proposal and submits approved projects to the Mayor within 10 days of the public hearing.

The Mayor will approve or disapprove the 121A request within 10 days of the BRA Board vote.

Contact

Director's Office
Boston Redevelopment Authority
Boston City Hall, 9th floor
Boston, MA 02201
722-4300

Fee

Payable to the Boston Redevelopment Authority when the application is submitted: \$1,000.

State and Federal Tax Incentives*

State Tax Incentives

Urban Job Incentive Program

This program is an inducement for corporations to expand or develop industrial or commercial projects in or contiguous to economically depressed areas, and to hire workers from low income areas. The program allows the corporation to: (1) take a property tax credit against its corporate state excise tax sufficient to affectively reduce its local property taxes to the State-wide average, and (2) deduct an additional 25 percent of the compensation paid to employees living in "eligible areas of substantial poverty" within the Commonwealth from the corporation's state excise tax liability.

Contact

Director, Urban Job Incentive Bureau
Mass. Dept. of Commerce & Development
100 Cambridge Street
Boston, MA 02202
727-3210

3% Investment Tax Credit

This is a 3% credit against state excise tax liability on the cost of depreciable real and tangible property within Massachusetts purchased during the year it is used. Also covered is tangible property rented or leased from local and regional business development corporations.

Contact

Bureau of Corporation
Department of Revenue
100 Cambridge Street
Boston, MA 02202
727-4264

Federal Tax Incentives

10% Investment Tax Credit

Assistance and advice on the tax incentives described below can best be obtained by calling upon the contacts listed as well as by contacting private attorneys.

This tax incentive provides a 10% tax credit for the purchase of new equipment, the rehabilitation of factories, warehouses, hotels or stores and other types of business and commercial buildings in urban areas. It also covers the rehabilitation of equipment.

*For information on other tax incentives whose savings are not as significant as those mentioned above, but which may be of assistance, contact: Director of Development, EDIC/Boston at 725-3342 (for industrial development); Coordinator of Commercial Development, BRA at 722-4300 (for commercial development).

Contact

Taxpayer Service Division
Internal Revenue Service
JFK Federal Building
Government Center
Boston, MA 02203
523-1040

Accelerated Depreciation

This tax incentive reduces the tax liability on building plants and equipment in the early years of a project's life. The amount of accelerated depreciation taken can be tabulated by using a double-declining-balance method or a sum-of-the-years' digit method of tax deduction. By utilizing accelerated depreciation rather than straight-line depreciation lower taxes and higher cash flows result in these early years.

Contact

Taxpayer Service Division
Internal Revenue Service
JFK Federal Building
Government Center
Boston, MA 02203
523-1040

Targeted Jobs Tax Credit

This is a tax credit for businesses which hire people from seven targeted high unemployment groups as defined by the U.S. Internal Revenue Service and certified by the Mass. Division of Employment Security. The credit can mean a tax savings of 50% of wages in the first year and 25% in the second year, up to \$6,000 per employee.

Contact

Mass. Division of Employment Security
Special Programs Department
Charles F. Hurley Building
Government Center
Boston, MA 02114
727-2306

Meeting Public Construction Requirements



This section pertains to permit requirements applicable to all construction projects as well as review and approval procedures applicable only to specialized projects. Developers are often responsible for compliance with these requirements, although the BRA or EDIC/Boston, federal funding agencies and construction contractors all take varying degrees of responsibility for insuring that certain approvals are obtained.

The four sub-sections entitled “Public Hearings,” “Zoning Requirements,” “Environmental Requirements,” and “Design Review” apply primarily to specialized categories of projects. Public hearings and design reviews are mandated only for projects receiving certain financing or development benefits through EDIC/Boston or the BRA. These City agencies are responsible for conducting the public hearings. The zoning sub-section describes variances and map changes.

The environmental sub-section pertains to three categories of projects: 1) waterways, 2) state licensed projects, and 3) federal government interests. Other specialized types of projects may require State Department of Environmental Quality Engineering (DEQE) approvals or permits. It is advisable to contact DEQE for additional information.

Boston Fire Department and Building Department permits are required for all construction projects. The Boston Water and Sewer Commission should be contacted for any facility requiring water and sewer service. Other permit and bonding requirements vary with the nature of the project.

City Council

Applicability

The need for City Council review and approval of those items listed under the “Applicability” section below is determined by the regulations of a program and by City statute. Every item needing Council approval, with the exception of Economic Development Plans, must receive a simple majority vote. General Obligation Bond authorizations require a vote of two-thirds of the Council, and can be passed only after two separate readings in the Council and by two separate votes at least fourteen days apart.

Process

The programs and incentives described in this *Guide* which are subject to City Council review include: Urban Development Action Grants, Industrial Revenue Bonds issued by the Industrial Development Financing Authority, Economic Development Plans, City issuance of General Obligation Bonds, Urban Renewal Plans, and Commercial Area Revitalization Districts.

BRA and EDIC/Boston submissions to the City Council are made through the Mayor’s Office. A transmittal letter from either agency is submitted to the Mayor’s Council Liaison Office with the proposed resolution or order by 12 P.M. on the Monday preceding the regular Council session.

Through the Liaison Office, the Mayor submits the resolution or order to the City Clerk and Council by 2 P.M. on the Tuesday preceding the regular Council session. The appropriate background materials are provided to the Counsellors by the submitting agency.

The City Clerk puts the item on the City Council agenda for its meeting on Wednesday at 1 P.M.

The City Clerk reads the resolution into the record and the Council President then refers it to the appropriate committee. The Committee must hold a hearing within 45 days of referral and submit its report to the full Council within 60 days.

The Council votes on whether to accept the resolution.

For General Obligation Bonds, a second vote is taken two weeks later.

Following Council approval, the Mayor signs the Council resolution or order. The City Clerk attests to the actions of both the City Council and the Mayor and forwards a copy of the accepted resolution or order to the submitting agency.

Maximum total time required: 70 days.

Contact

Director of Financial Assistance or
Director of Development
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

Director
Boston Redevelopment Authority
Boston City Hall, 9th floor
Boston, MA 02201
722-4300

Community Meetings

These meetings provide the opportunity for community review and comment on proposed public actions which will result in new development. Community meetings are usually conducted in the neighborhood where the new development is proposed.

Applicability

The programs and incentives described in this *Guide* for which community meetings are required include: Urban Development Action Grants, Economic Development Area designations, Economic Development Plan designations, 121A Agreements, eminent domain takings, Urban Renewal Plans, Planned Development Areas, submission of "Notice of Intent," Environmental Impact Statements, and street closings and creations. Meetings concerning 121A Agreements and Planned Development Areas take place at City Hall; all others take place in the neighborhood where the new development would be located.

Process

EDIC/Boston or the BRA schedules community meetings at least two weeks before a City Council hearing.

At least 10 working days before the scheduled community meeting, EDIC/Boston or the BRA provides public notification of the meeting in one major Boston daily newspaper and appropriate community newspapers. The notice identifies the meeting date, time, and location and contains a brief description of the project or action to be discussed.

EDIC/Boston or the BRA extends invitations to attend the community meeting to the appropriate City, State and Congressional representatives whose constituencies will be directly affected by the action under consideration. In addition, EDIC/Boston or the BRA will invite appropriate community leaders, neighborhood groups and local property abutters who may have an interest in the hearing. The above groups are notified at least 10 working days before the scheduled hearing date.

The private firm(s), which will be involved in the new development ensuing from the proposed public action, provides background information on the project to EDIC/Boston or BRA staff who will chair the meeting.

The firm's representative(s) attend the community meeting and should be prepared to respond to questions on the proposed public action or development project.

Contact

Director of Communications
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

Director of Public Information
Boston Redevelopment Authority
Boston City Hall, 9th floor
Boston, MA 02201
722-4300

Zoning Requirements

Zoning refers to municipal regulation of the use of land within the community and the use of buildings and structures which may be located there. The enabling zoning legislation for the City of Boston is Chapter 665 of the Acts of 1956 as amended, which can be found in the front of the published "Boston Zoning Code" available from the Building Department. Zoning regulations cover subjects such as building height, occupancy, number of stories, floor-area ratio, size of yards, open space required per dwelling unit and building use.

Applicability

The following are subject to zoning regulation: all new construction including extensions of existing structures; structural changes to nonconforming buildings; all changes in land use, whether or not within a building; all signs and billboards including a change in the copy of a sign other than a billboard or a sign with changeable letter panels.

If project plans do not comply with the Boston Zoning Code, exceptions to or changes in the Code can be sought in one of three ways. These are listed below along with the circumstances under which a developer would most likely use any one of these methods of appeal:

Request a zoning variance or conditional use permit.

Using this procedure, a zoning deviation can be obtained for the period during which the site's use remains unchanged. To obtain a variance, an applicant must demonstrate that special circumstances exist which make a property different from others in the district. For example, if a property has an unusual shape or topographic features,

a variance might be necessary for its reasonable use. To obtain a Conditional Use Permit, the applicant must demonstrate that the proposed property use is suitable for its location and will have no detrimental effects on the surrounding areas. This same procedure is used for zoning variances, and for exceptions to the Building Code. Requests are addressed to the Building Department and are subject to Board of Appeal review.

Request a zoning map amendment. Map amendments put an area of land in a different zoning district. Requests should be addressed to the Zoning Commission.

Request a special designation in conjunction with the BRA. This type of zoning change can be sought for projects in Planned Development Areas and Urban Renewal Areas or in conjunction with an application for a 121A tax agreement. PDA projects must be submitted to the BRA for approval. To receive such approval, a project must be located on a site at least one acre in size and reflect BRA planning priorities for the area.

Urban Renewal Area properties generally involve BRA disposition parcels or housing for persons of low income (See Section 3, "BRA Urban Renewal Areas"). Chapter 121A of the Mass. General Laws provides that a limited dividend corporation proposing to develop blighted land may be granted deviations from the Zoning Code by the BRA (See Section 5, "BRA Chapter 121A Agreements").

Process

A developer or firm should consult the "Boston Zoning Code" and zoning maps before preparing project plans. (Zoning maps are available from the BRA Mapping Department). Application for a building permit and/or change of occupancy is made to the Building Department. If the proposed development does not conform to the Zoning Code, the Department issues a letter of refusal.

Review time: approximately 10 days to two weeks.

Process (1)

Applications for Zoning Variance or Conditional Use Permit

The applicant may apply within 45 days of the date of refusal for a "Zoning Variance" or "Conditional Use Permit." Four copies of the application along with the site plans are filed with the Building Department.

The BRA, in its role as the City's planning agency, files a report on the requested change with recommendations to the Board of Appeal, based on input by BRA staff involved in neighborhood planning, traffic planning, urban design, urban renewal, project management, preservation, etc.

These planners have previously sought input from neighborhood Little City Hall managers and property abutters.

The Board of Appeal, in advance of its public hearing, visits the site in question.

Notice of a Board of Appeal hearing is published in a Boston newspaper and is also mailed to abutters by the Board of Appeal.

The five-member Board of Appeal meets weekly and in most cases reaches a decision on the day of the hearing or the following week, although some controversial cases take longer. To save time, the petitioner usually prepares a draft "Notice of Decision" for approval by the City Law Department.

Time required from time of filing to Board of Appeal hearing date: approximately three months.

When approved, the Board of Appeal decision is filed in the office of the Building Commissioner.

The Building Department proceeds with examination of plans for conformance with the Building Code and issues a permit on completion of this examination.

Any person aggrieved by a decision of the Board of Appeal may appeal to Suffolk Superior Court within 15 days after the filing of the decision.

Process (2)

Zoning Map Amendment, Zoning Text Amendment The zoning maps and the text of the Boston Zoning Code may be amended by the Zoning Commission of the City of Boston upon request. Any owner of land whose property would be affected by the proposed amendment (the owner of the property in question or the owner of a parcel which would be affected by such a change) may petition the Commission concerning such change. Petition forms are available from the BRA's Zoning Division which serves as staff to the Commission.

Abutters are notified, notice of hearing is published and recommendations are made by the BRA as in the Board of Appeal procedures (see above).

The eleven-member Zoning Commission meets as necessary, about once a month. Seven Commission votes are necessary to adopt or reject a petition.

After adoption, an amendment is sent to the Mayor's office. If the Mayor signs the amendment it becomes effective immediately; if he takes no action, the amendment

becomes effective after 15 days; if the Mayor returns the amendment with objections, his veto can be overridden by the votes of at least nine members of the Commission. Without those nine votes, the veto stands and the amendment does not pass.

Time required from date of filing to Commission hearing: approximately six weeks to three months.

Process (3)

Special Designations

Planned Development Area The BRA must approve the development proposal for the Planned Development Area (PDA). PDA's allow for greater flexibility in building design than does the Zoning Code. The Zoning Commission must adopt a Map Amendment putting the PDA on the zoning map (see procedure for map changes). The Board of Appeal may then grant exceptions to the Zoning Code under the provisions of Article 6A. All three steps require public hearings.

Time required: at least 4 months.

Urban Renewal Area The Boston Redevelopment Authority petitions the Zoning Commission for an Urban Renewal Area designation. If granted, certain deviations to the dimensional requirements of the Zoning Code may be granted by the Building Department without going to the Board of Appeal if such deviations have already been approved by the urban design section of the BRA. The deviations that can be granted are for lot size, lot frontage, front, side and rear yards, open space per dwelling unit, height, and setback of parapet. Deviations for use, floor-area ratio and off-street parking must, however, be granted by the Board of Appeal under the provisions of Article 6A (See Section 3, "Urban Renewal Areas").

Chapter 121A Chapter 121A of the Massachusetts General Laws provides that a limited dividend corporation proposing to develop blighted land may be granted deviations from the Zoning Code. Applications are submitted to the BRA and a public hearing is conducted. If the BRA Board approves the 121A request, the proposal is sent to the Mayor for final approval. (This is the same law which provides for tax agreements based on a percentage of income, rather than assessed valuation, for some stated number of years). (See Section 5, "BRA Chapter 121A Agreements").

Contact

Director of Zoning (for Map Changes)
Boston Redevelopment Authority
Boston City Hall, 9th floor
Boston, MA 02201
722-4300

Zoning Administration (for Zoning Variances or
Conditional Use Permits)
Building Department
Boston City Hall, 8th floor
Boston, MA 02201
725-4710

Fee

Zoning Map Amendment: \$150.00 for a hearing fee.

Zoning Variance, Conditional Use Permit: The filing fee is \$50.00 if the application is for a one or two family dwelling. For any other structure, there is an initial fee of \$75.00 and an additional fee of \$50.00 for each deviation or variance sought from the Board of Appeal.

Environmental Requirements

Construction projects requiring environmental reviews and approvals fall into three basic categories:

- 1) Any project involving (or considered likely to have an impact on) public waterways or wetlands.
- 2) Any project for which regular state licenses, permits or funding are involved.
- 3) Any project in which the federal government has legal or financial interests.

Many projects will require clearances on all three (federal, state, and local) levels before funds are released and construction is allowed to begin. The purpose of such clearances is to assure that there is adequate public knowledge of a project's environmental impact and that all reasonable steps are taken to minimize any adverse impacts. Procedures apply to both private developers and public agencies. Environmental clearances precede, and are independent of, any building and occupancy permits.

The Massachusetts Environmental Policy Act Unit (MEPA) should be consulted for initial review of projects and referral to other agencies of applicable authority. MEPA can provide advice relating to application procedures in order to avoid the submission of duplicate applications.

Water/Wetland Projects

General

Developers of projects affecting wetlands or waterways should first contact the City of Boston Conservation Commission. An "Order of Conditions" will be needed from the Conservation Commission before additional approvals are obtained. Although state approvals cannot be obtained until an "Order of Conditions" is issued, the developer should make the required submissions to the state while awaiting the Order. All water projects and project appeals are subject to review by the Department of Environmental Quality Engineering (DEQE) Divisions of Waterways and Water Pollution Control, and the Massachusetts Environmental Policy Act Unit. Normally, these agencies require a copy of construction drawings for their review, although the Division of Water Pollution Control may only require schematic drawings. The final state review agency for water projects is the Coastal Zone Management Office.

After these reviews are completed, the U.S. Army Corps of Engineers will formally consider the authorization of necessary permits. However, in order to expedite the project, the developer should submit the required materials to the Army Corps of Engineers while awaiting state authorizations and permits.

Additional state licenses or permits may be required for certain projects. These may include projects which generate emissions, hazardous wastes, polluted or processed wastes, or for other specialized classes of projects. More information can be obtained from DEQE.

City Requirements for Waterway, Wetland Projects

The City of Boston Conservation Commission determines whether construction projects within the City comply with the Wetlands Protection Act. Conservation Commission criteria concentrate on the project's impact upon water supply quality, flood control and fisheries.

Applicability

Any project that will be within 100 feet of the 100-year floodplain, within vegetated wetlands or marshlands, or which calls for dredging, removing, filling or altering waterways or land next to waterways falls under the jurisdiction of the Wetlands Protection Act.

Process

The developer completes and files an "Environmental Data Form," a "Notice of Intent" (available from the Conservation Commission) and project engineering plans with the Commission. The Conservation Commission requires 21 days to issue an initial statement of its approval, followed by a 21-day public review period and finally a public hearing.

By majority vote of the Conservation Commission the project will be approved. If the project is developed in conjunction with the BRA or EDIC/Boston, a public hearing will be conducted by the Authority or the Corporation.

Time required: 42 days from initial filing to the public hearing.

If the project is not approved, an appeal may be made to DEQE within 10 days of notification of the Conservation Commission vote.

If the project is approved an "Order of Conditions" will be issued.

Contact

Executive Secretary
City of Boston Conservation Commission
182 Tremont Street, 6th floor
Boston, MA 02108
725-4416

Fee

Upon submission of "Notice of Intent" and plans: \$25.00.

State Requirements for Waterway, Wetland Projects

The Department of Environmental Quality Engineering (DEQE) and its Divisions of Waterways, Water Pollution Control, Wetlands and the Office of Coastal Zone Management are responsible for approval of projects affecting these areas of the environment.

Applicability

Any project that will be within 100 feet of the 100-year floodplain or which calls for dredging, removing, filling or altering waterways or land next to waterways falls under the jurisdiction of the Wetlands Protection Act. Coastal projects which require a federal license or permit or receive federal funding are subject to review by the Office of Coastal Zone Management.

Process

A Massachusetts Environmental Policy Act (MEPA) Unit review and approval may be required before a "Water Quality Certificate" is issued. (See Section 6, "Projects Which Require State Licenses, Permits or Funding"). A developer submits a "Notice of Intent," engineering plans and an "Environmental Data Form" (the same documents obtained from and submitted to the Boston Conservation Commission) to DEQE's Wetlands Division. The Wetlands Division reviews and passes these materials on to the Division of Waterways.

The Division of Waterways will issue a Chapter 91 Waterways License if the project will not have adverse environmental impacts. Division of Waterways review lasts approximately 30 days.

The developer also submits engineering plans of sanitary and storm drains and a discussion of the project's impact on these systems to the DEQE, Division of Water Pollution Control. The Division of Water Pollution Control must issue a permit for sanitary sewer construction.

Upon favorable review, a "Water Quality Certificate" will be issued.

Review time: 30-45 days.

Army Corps of Engineers Section 10 and Section 404 Permits (See Section 6, "Federal Requirements for Waterway, Wetland Projects") will be issued subject to review by the Office of Coastal Zone Management (CZM). If the project requires federal licenses or permits, the following items must be submitted to the CZM office by the developer: (1) a copy of each license or permit required, (2) a written certification that the proponent believes the project would be consistent with the CZM plan, (3) the MEPA unit certification described above, and (4) any additional information which may be requested by the CZM office such as narrative descriptions, maps, or plans.

The CZM office will post a public notice of the project in "The Environmental Monitor" for 21 days.

The CZM staff will review the project. This review usually lasts for three weeks and must be completed within 90 days of submission of the above-mentioned materials.

Upon favorable review, CZM will issue a "Determination of Consistency with Waterfront Development Plans."

Contact

Executive Office of Environmental Affairs:

Environmental
Mass. Environmental Policy Act Unit
100 Cambridge Street, 20th floor
Boston, MA 02202
727-5830

Project Review Coordinator
Office of Coastal Zone Management
100 Cambridge Street, 20th floor
Boston, MA 02202
727-9530

Dept. of Environmental Quality Engineering:

Chief Engineer
Division of Waterways
100 Nashua Street
Boston, MA 02214
727-4797

Director
Division of Wetlands
100 Cambridge Street, 20th floor
Boston, MA 02202
727-9706

Director
Division of Water Pollution Control
100 Tremont Street
Boston, MA 02108
727-3855

Coastal Geologist
Dept. of Environmental Quality Engineering
Northeast Regional Office
323 New Boston Street
Woburn, MA 01801
935-2160

Federal Requirements for Waterway, Wetland Projects

Federal review of waterway and wetland projects is based on the River and Harbor Act of 1899, the Clean Water Act, the Marine Protection Research and Sanctuaries Act (MPRSA) of 1972 and the National Environmental Policy Act of 1969.

Applicability

A Department of the Army permit is required for all work in the navigable waters of the United States beyond the mean high water line. If a development project involves the dredging or filling of waterways or wetlands, or the discharge of dredge and fill materials in waterways, then an Army Corps of Engineers, Section 10 and/or Section 404 Permit is required. A permit is also required for the transportation of dredged material to be discharged in ocean waters under the authority of Section 103 of the MPRSA of 1972.

Process

The Army Corps of Engineers reviews projects involving waterways or wetlands. Design plans, a locus plan and a description of the work to be performed must be submitted to the Corps. The developer must also obtain an "Order of Conditions" and Chapter 91 License and Water Quality Certification before the Army Corps review is completed. (See Section 6, "State Requirements for Waterway, Wetland Projects").

The Corps cannot issue any permit or license for projects above EPA-established thresholds prior to CZM federal consistency review. (See Section 6, "State Requirements for Waterway, Wetland Projects").

The Army Corps will give the public 30 days to comment on the proposed project. If additional information is needed by the Army Corps, a public hearing will be held.

If the Army Corps determines that the project will not have an adverse environmental impact, a Section 10 or Section 404 permit will be issued.

Time required: 2-6 months for official and public review.

Based on the extent of environmental impact, the Army Corps may require the submission of an Environmental Impact Statement. (See Section 6, "Projects in Which the Federal Government has Financial or Legal Interests").

Contact

Regulatory Branch
U.S. Army Corps of Engineers
424 Trapelo Road
Waltham, MA 02154
894-2400, ext. 332

The following State agencies undertake environmental reviews for any project (including wetlands or waterways) if state funding or other state environmental permits are required:

Mass. Environmental Policy Act (MEPA) Unit: As required by Mass. General Laws, Chapter 30, Sections 62 through 62A, the MEPA Unit identifies those projects which have significant environmental impact potential. If such potential is found, the unit also specifies which types of impacts are significant and which are not. MEPA review of any project may be required prior to review by other agencies.

Mass. Historical Commission: The Commission determines whether project will have any effect on historic resources (including structures on "National Register of Historic Places").

Department of Environmental Quality Engineering (DEQE): DEQE determines compliance with State environmental regulations and issues permits and approvals accordingly. The Department is divided into eight divisions, seven of which are responsible for issuing a variety of permits. The Division of Wetlands provides technical assistance to the Boston Conservation Commission and acts as an appeals board for decisions made by the Commission. The Division of Waterways issues permits for projects involving bodies of water, and the Division of Water Pollution Control regulates projects which may generate water pollution. Certain more specialized types of projects may require permits from the other four divisions.

Environmental Projects Which Require State Licenses, Permits or Funding

Applicability

Office of Coastal Zone Management (CZM): CZM reviews projects requiring federal licenses, permits or funding to determine their consistency with the State Coastal Zone Management Plan. Its review procedures are described in the previous section, "State Requirements for Waterway, Wetland Projects."

A list of the most frequently required environmental permits and certifications and the applicability of each is provided below:

Certification that an Environmental Impact Report (EIR) is not necessary or that an EIR adequately and properly complies with Mass. General Laws, Chapter 30, Sections 62-62H: projects which require State licenses, permits or funding.

Certification that the proposed project will not impact historic resources: projects in which the State or Federal government has a legal or financial interest.

Chapter 91 Permit: Any structure constructed seaward of the high tide line in tidal areas or in or near any great pond, river, or stream on which there have been government expenditures of money. (See Section 6, "Federal Requirements for Waterway, Wetland Projects").

Water Quality Certificate: Projects requiring a state or federal license or permit to conduct activities which may result in discharge to waters.

Determination of consistency with waterfront development plans: Projects which require a federal license or permit or receive federal funding. (See Section 6, "State Requirements for Waterway, Wetland Projects").

Process

MEPA Unit: While a project is still in a preliminary planning phase, an "Environmental Notification Form" (ENF) should be submitted to the MEPA unit. The ENF does not require that a scientific or consultant study be done.

Near the date of ENF submission, a "Notice of Intent" to submit an ENF should be published in a local newspaper by the developer. Additionally, the ENF must be circulated to organizations designated by MEPA which are in the project area. Among these designated organizations, the BRA Environmental Review Section takes a lead role in reviewing projects which are to be located in Boston.

Time required for review by MEPA: 37 days.

If no significant environmental impacts are identified, the Secretary of the Executive Office of Environmental Affairs

will certify that an "Environmental Impact Report" is not necessary. Otherwise, MEPA will specify areas where further environmental studies are required.

Additional required studies are contained in an "Environmental Impact Report" (EIR). (An EIR quantifies and describes the nature of the negative environmental impacts of a particular project.) This report, prepared by an experienced consultant at the developer's expense, is submitted to the MEPA unit. The developer must publish a "Notice of Intent" to submit an EIR and circulate the EIR to organizations specified by the MEPA unit.

Time required for preparation of EIR and review by MEPA: 3-12 months.

Massachusetts Historical Commission: A brief description of the project and a map showing its location should be submitted to the Massachusetts Historical Commission (MHC).

MEPA requires project developers to submit a copy of the ENF to MHC for review. The MHC Advisory Board and agencies involved with the proposal will confer if the project has a significant impact on the historic nature of a structure. MHC will also act as an advisory agency to federal authorities in the review of a project's ENF.

Prior to the project's commencement, the Commission must certify in writing that the project will not impact an historic site or building.

Time required for review by Mass. Historical Commission: no more than 21 days.

Contact

Executive Office of Environmental Affairs:

Environmental
Mass. Environmental Policy Act Unit
100 Cambridge Street, 20th floor
Boston, MA 02202
727-5830

Project Review Coordinator
Office of Coastal Zone Management
100 Cambridge Street, 20th floor
Boston, MA 02202
727-9530

Chief Engineer
Dept. of Environmental Quality Engineering
Division of Waterways
100 Nashua Street, Room 532
Boston, MA 02114
727-4797

Director
Division of Wetlands
100 Cambridge Street, 20th floor
Boston, MA 02202
727-9706

Director
Division of Water Pollution Control
110 Tremont Street
Boston, MA 02108
727-3855

Sanitary Engineer
Division of Hazardous Waste
600 Washington Street
Boston, MA 02111
727-0774

Senior Sanitary Engineer
Division of Water Supply
600 Washington Street
Boston, MA 02111
727-2692

Regional Environmental Engineer
Division of Waste Disposal
323 New Boston Street
Woburn, MA 01801
935-2160

Executive Director
Outdoor Advertising Division
80 Boylston Street, Room 505
Boston, MA 02116
727-8392

Review Director
Massachusetts Historical Commission
294 Washington Street
Boston, MA 02108
727-8470

Environmental Projects in Which the Federal Government Has Financial or Legal Interests

Applicability

A federal agency with a financial or legal interest in a proposed project must consider the nature and extent of its environmental impacts before authorizing it. During the review process this agency takes the lead in directing the course of the environmental review. The preliminary approval of the lead agency is a prerequisite to other permit issuances. When applicable, this agency will submit the project to the Environmental Protection Agency (EPA) for review.

Federal environmental reviews are based on the River and Harbor Act of 1899, Section 10; the Clean Water Act, Section 404; the Marine Protection Research and Sanctuaries Act, Section 103; and the National Environmental Policy Act.

The types of environmental reviews which may be required for a project in which the federal government has financial or legal interests are listed below, along with the circumstances under which each type of review is required:

Environmental Assessment If a federal agency has a financial or legal interest in a project, an Environmental Assessment must be submitted to that agency. In some cases, reviews by EDIC/Boston and the BRA may be required. Scientific studies are not required for the preparation of Environmental Assessments.

Environmental Impact Statement (EIS) The lead agency reviewing the Environmental Assessment may submit it to EPA for review. If either EPA or the lead agency believe the project may have a significant adverse environmental impact, an EIS may be required. When an EIS is required, it is subject to the final approval of EPA.

Section 10 or Section 404 Permit In the case of all water projects, the Army Corps of Engineers will act as the lead agency. If a federal agency other than the Army Corps of Engineers has a financial or legal interest in a water project, then an Environmental Assessment must be submitted to that agency in addition to submissions required by the Army Corps of Engineers for a Section 10 or 404 Permit. (Army Corps review procedures are described in Section 6, "Water/Wetland Projects." State and City review requirements may also be applicable.) For water projects, the Army Corps, EPA, or another federal agency with an interest in the project may require submission of an EIS.

State and Local Reviews When the project requires federal funding, the Metropolitan Area Planning Council

Process

(MAPC) circulates the funding proposal to appropriate agencies and organizations in order to determine whether the project complies with metropolitan area planning goals. Funding proposals for coastal areas will be circulated to the State Office of Coastal Zone Management. MAPC submissions are the responsibility of EDIC/Boston or the BRA, not the developer.

Federal agencies, upon receipt of an “Environmental Assessment,” will advertise the project in a local newspaper (or require the developer to do so) and will give the public 30 days to comment on the project.

The federal agency can determine that the project will have no significant adverse environmental impact or can submit the Assessment to EPA for review. EPA, the Army Corps, or another lead agency will each determine, based on the nature and extent of anticipated project impacts, whether an “Environmental Impact Statement” (EIS) must be prepared by the applicant.

If a water project is found to have no significant environmental impact prior to submission of an EIS, the Army Corps will issue a Section 10 or Section 404 permit as appropriate, and EPA will tell the federal funding agency that it may proceed with the project.

Review period: 3-4 months.

If an EIS is required, an experienced consultant should be hired by the developer for its preparation. A “Notice of Intent” must also be submitted.

Preparation and review of the EIS: up to 1-2 years.

All Environmental Impact Statements must be submitted to EPA. This requirement is applicable to the Army Corps as well as federal lead agencies. While the materials contained in the EIS are gathered by the project developer, the formal submission to EPA is the responsibility of the Army Corps or the federal agency involved.

After a draft EIS is submitted, EPA will place a notice in the “Federal Register” for public comment. The federal agency or the Army Corps will conduct a public hearing in addition to soliciting written comments.

Time required: 45 days.

The final EIS is submitted to EPA for comment. The time required for completion of the final EIS draft depends upon the number of written comments and printing time. In preparing a final EIS, the developer *must* respond to public comments.

The federal lead agency will hold an additional 30-day public review period to solicit written comments on the final EIS draft.

Based upon these comments, the lead federal agency will decide whether the project should be altered, implemented as planned, or terminated.

Time required: 30 days.

Contact

Regulatory Branch
U.S. Army Corps of Engineers
424 Trapelo Road
Waltham, MA 02154
894-2400

Environmental & Economic Impact Office
U.S. Environmental Protection Administration
JFK Federal Building
Boston, MA 02203
223-4635

Design Review

Boston Redevelopment Authority (BRA)

Special Incentive Projects

The BRA design review process entails the evaluation of design proposals submitted by a developer's architect for a parcel within a specially designated area.

Applicability

All projects within the designated legal boundaries of an Urban Renewal Area or Planned Development Area, projects involving historic structures, and projects for which 121A agreements have been executed.

Process

Each case is individually handled. A series of negotiations is held between the developer's architect and the BRA staff architect assigned to the urban renewal project. This process is limited by statute to 30 days, and the parcel on which redevelopment will take place will not be sold to the developer until the project has been given final design approval.

The four formal stages for design submissions are as follows:

Step 1 - Schematic Design

Developer submits:

- Site plan at any appropriate scale ($1'' = 100'$ or $1'' = 40'$ are preferred scales) emphasizing general relationships of proposed and existing buildings, walls and open space, including those mutually defined by buildings on adjacent parcels and across streets. In addition to the buildings, the general location of walks, driveways, parking, service areas, roads, and major landscape features should be shown. Pedestrian and vehicular flow through the parcel and to adjacent areas should also be delineated. Where relevant, site sections showing height relationships with proposed and adjacent buildings should be provided;
- Building plans, elevations, and sections at any appropriate scale, showing organization of functions and spaces. These drawings need not be more detailed than sufficient to indicate general architectural character and proposed finish materials;
- Study model at $1'' = 100'$ (minimum) is suggested, and may be required.

Step 2 - Design Development

Developer submits:

- Site plan development at $1'' = 40'$ minimum (or as determined after approval of Schematic Design). Phasing possibilities, if any, and proposed site grading, including typical existing and proposed grades at parcel lines, should be shown. Those areas of the site proposed to be developed "by others" or easements to be provided for others are to be clearly indicated. All dimensions which may become critical from the point of view of zoning should be indicated as well as adjacent buildings, streets and buildings across streets;
- Site sections at $1'' = 40'$ (minimum) showing vertical relationships in addition to those shown above;
- Building plans, study model, written statement of proposal, and perspective sketch.

Step 3 - Preliminary Working Drawings

Developer submits:

- Site plan(s) of sufficient detail to describe the character and scope of the proposal;

- Perspective renderings and/or a model showing the architectural and urban design character of the proposed project. A rendered site plan showing all adjacent proposed and existing structures and streets must be submitted;
- Building plans (including the roof), elevations, and sections developed in sufficient detail and at large enough scale to show all materials and assemblies comprising the buildings;
- Outline of specifications for materials and methods of construction;
- "Statement of Design Development," including the following: major buildings' dimensions and gross area of buildings, floor area ratio, and proposed division of work between the developer and public agencies. Where variances, waivers, or deviations from existing city, state, or federal regulations are proposed, they should be listed along with a statement of progress made toward obtaining such variances.

Step 4 - Final Working Drawing(s)

Review of final working drawings is a prerequisite to securing final agreement on the approval of the contract documents and the completed proposals. The following are needed to facilitate this section of the BRA design review process:

- Completed site plan for full parcel development with working drawing level of detail;
- Completed working drawings and specifications ready for binding;
- Statement of proposal, indicating difference, if any, from Schematic Designs previously submitted;
- Time schedule for construction of the project.

Once final working drawings and specifications have been approved and construction started, the only items subject to an additional review will be requests for change orders in the construction. The developer is strictly required to construct the project in accordance with all details of the approved drawings. Permission to make changes from such approved drawings must be requested by the developer in writing to the BRA Director of Urban Design, who will reply in writing, giving approval or disapproval of the changes. No changes in the work are to be undertaken until such approval has been obtained.

**Economic
Development
and Industrial
Corporation
of Boston
(EDIC/Boston)**

Contact

Director of Urban Design
Boston Redevelopment Authority
City Hall, 9th floor
Boston, MA 02201
722-4300

Zoning Variances

The BRA is responsible for evaluating any variances submitted to the Zoning Board of Appeal which will affect the exterior appearances of buildings in Boston.

Process

The developer submits the variance request to the Zoning Board of Appeal which will conduct a public hearing.

Time required: two-three months before a hearing is held. (See Section 6, "Zoning," for a complete description of the appeals process).

The BRA urban design staff conducts an evaluation of the zoning variance request. Each case is individually handled and is completed within 30 days. (See Section 6, "Zoning Requirements," for an outline of the submittal process).

Contact

Director of Urban Design
Boston Redevelopment Authority
City Hall, 9th Floor
Boston, MA 02201
722-4300

Fee

Initial application fee: \$75.00
For each variance requested: \$50.00

EDIC/Boston design review of tenant development proposals is a three-step process. It evaluates the quality and appropriateness of the proposal on the basis of the design objectives stated in each industrial park's Economic Development Plan and the requirements of the Boston Zoning and Enabling Act. The design review process provides the opportunity for EDIC/Boston and the developer to work together in creating a structure which suits the needs of the tenant while serving as an asset to the surrounding community. The EDIC/Boston design review also insures that building and site plans provide for maximum energy efficiency.

Applicability

All development proposals for EDIC/Boston industrial parks which involve substantial renovation or the building of a new facility are subject to design review.

Process

A time schedule for the required submissions will be agreed upon on or before the time of execution of the lease, and will be set forth therein or in a separate document.

Step 1 - Schematic Design

Developer submits:

- Site plan at any appropriate scale (1" = 100' and 1" = 40' are preferred scales) emphasizing general relationships of proposed and existing buildings, walks, and open space, including areas mutually defined by buildings on adjacent parcels and across streets. A perspective rendering and/or model showing the architectural and design character of the proposed project is requested but is not a requirement.

Sept 2 - Preliminary Drawings

Developer submits:

- Site plan(s) of sufficient detail to describe the character and scope of the proposal;
- Building plans (including the roof), elevations and sections developed in sufficient detail and of large enough scale to show all materials and assemblies comprising the buildings;
- Perspective renderings and/or a model showing the architectural and urban design character of the proposed project. A rendered site plan showing all adjacent proposed and existing structures and streets must be submitted;
- An outline of specifications for materials and methods of construction;
- A "Statement of Design Development" including the following: major buildings dimensions and gross area of buildings, floor-area ratio, proposed division of work between the developer and the public agencies. Where variances, waivers or deviations from existing city, state or federal regulations are proposed, they should be listed along with a statement of progress made toward obtaining such variances.

Step 3 - Final Working Drawing(s)

This EDIC/Boston design review is a prerequisite to securing final agreement on the approval of the contract documents and the completed proposals. In this stage, the design reviewer will check for design conformance to the formerly approved Schematic Design and Preliminary Working Drawings. The following are needed to facilitate this section of the EDIC/Boston design review process:

- Completed site plan for full parcel development with working drawing level of detail;
- Completed working drawings and specifications ready for binding;
- Statement of proposal, indicating difference, if any, from Schematic Designs previously submitted;
- Time schedule for construction of the project.

Once final working drawings and specifications have been approved and construction started, the only items subject to an additional review will be requests for change orders in construction. The developer is strictly required to construct the project in accordance with all details of the approved drawings.

Permission to make changes from such drawings must be requested by the developer in writing to the EDIC/Boston design reviewer who will reply in writing giving approval or disapproval of the changes.

Contact

Director of Project Management
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342.

Permits

Fire Department Permits

The Fire Department must review and approve all plans for new construction, extensive renovations, and the storage of any flammable fluids. When reviewing building plans, the Fire Department works in conjunction with the Building Department. When reviewing projects involving the storage of flammable liquids, the Fire Department works with the Building Department's Licensing Board.

Applicability

Applicable to any new construction, extensive renovation or storage of flammable liquids.

Process

The developer submits plans and specifications to the Boston Fire Department's Fire Prevention Division. To be approved, plans must conform to the "State Building Code" (copies available in Room 118, Massachusetts State House) as well as the "City Fire Code" (copies available from the Boston Fire Department).

Time required for review: at least one week.

The Fire Department submits its comments and/or approvals to the Building Department where plans have been simultaneously reviewed.

For permits to store flammable liquids, an application should be filed with the Licensing Board of the Public Safety Commission (Building Department). Simultaneously, submissions of plans and specifications should made to the Fire Department. The application, itself, will be forwarded from the Licensing Board to the Fire Department.

For preliminary approval of permits to store flammable liquids, the applicant must advertise the application in a local newspaper and notify abutters by certified mail. A public hearing will then be held by the Licensing Board at least 10 days after the ad appears and at least seven days after abutters have been notified.

If the Fire Department has approved the application for a permit to store flammable liquids, the Licensing Board must also vote approval unless there is significant opposition expressed by abutters at the public hearing.

Time required for the entire process: generally one month.

Contact

Fire Prevention Division
Boston Fire Department
115 Southampton Street
Boston, MA 02118
442-8000

Secretary to the Committee on Licenses
Building Department
Boston City Hall, 8th floor
Boston, MA 02201
725-4718

Fee

For inspection of plans there is a graduated fee schedule based upon the number of pages to be reviewed. (Plans over 100 pages cost \$50.00).

For permits for storing flammable liquids, the applicant must pay a "primary fee" of \$20.00, and an initial storage fee of \$8.00 per 1000 gallons (up to 10,000 gallons). There is a fee of \$5.00 per 1000 for the next 90,000 gallons. The annual renewal fee is approximately 50% of the initial fee.

State Executive Office of Public Safety Permits

Departments within the State Executive Office of Public Safety are responsible for the whole spectrum of public safety concerns. These include highway safety, nuclear power plants, state police and criminal justice. The Engineering Division is responsible for the initial inspection

of certain items which may be included in the construction of new facilities. The Division of Inspection will consider appeals of decisions made by the City of Boston Building Department, Permit Division. Licensing and registration of motor vehicles is the responsibility of Registry of Motor Vehicles.

Applicability

A developer who plans to construct any of the following must obtain a permit from the Division of Engineering: refrigeration and air conditioning systems in excess of 20 tons, air receivers with over 50 lbs. pressure, boilers capable of providing 200,000 or more BTU's and not located in a private residence, and above ground storage tanks for flammable liquids with a capacity of 10,000 gallons or more.

The Division of Inspection should be contacted by developers who plan to construct a nursing home, or by developers who want to appeal a decision of the City of Boston's Building Department.

A developer who will own and operate a fleet of cars, trucks or buses will need to obtain a permit from the Registry of Motor Vehicles.

Except for the permit requirements described above, most of the permit and licensing responsibilities of the Office of Public Safety are applicable only to towns which do not have their own licensing and permit capabilities.

Contact

For Vehicle Registration:
Public Information Officer
Registry of Motor Vehicles
100 Nashua Street
Boston, MA 02114
727-3825

For Other Permits:
Supervisor of Plans
Executive Office of Public Safety
One Ashburton Place, 21st floor
Boston, MA 02108
727-7551

Building Permits

Building permits are required before a building can be constructed, its use altered or the structure changed.

Applicability

All construction projects involving a building or structure.

Process

A developer must file an application for permits with the Building Department. Review is conducted by a plan examiner and zoning examiner. The Fire Department will also review the application when necessary (for alarms or

sprinkler installation). The developer should check on the progress of the application one week after filing.

Separate permit applications must be filed by the general contractor, and any electrical, plumbing, sprinkler and gas subcontractors. If the application is for a permit to alter an existing structure, then four copies of the "Certified Plot Plan" and one complete set of building plans must accompany the building permit application. The Building Department may also request a registered affidavit from the architect for any project. Electrical and plumbing permit applications can be filled out only by an electrician or plumber licensed by the State or Massachusetts.

Any other required permits can be applied for at this time (See list provided under "Fees").

After the above permits have been approved, a building permit application can be made. This application must be signed by a builder licensed in Boston.

Time required for the entire application process: 2-3 weeks.

If the project application is approved, inspectors will be assigned to the project, a final inspection will be conducted upon completion and a "Certificate of Occupancy and Use" will be issued by the Building Department.

Contact

Building Department
City Hall, Room 801
Boston, MA 02201
725-4710

Fees

Application fees which are listed below vary with the scope and the nature of work.

Alterations: \$25.00

Plan Amendments: \$50.00

Permit to Use Premises: \$25.00

New Construction, Repair or Minor Alterations: \$7.00 per \$1,000 of construction cost up to \$1,000,000; \$4.00 per \$1,000 of construction cost for \$1,000,000 - \$5,000,000; \$20.00 per \$1,000 of construction cost over \$5,000,000

Demolition: Fees vary with building size

Furnace Installation: \$12.50 per fixture (1 to 3), \$27.50 over 3 fixtures

Gas Fitting: \$2.50/fixture

**Boston Water and
Sewer
Commission
Permits**

- Plumbing: \$5.00/fixture
- Sprinklers: \$25.00 for each 50 feet
- Electrical Work: \$.25 per ampere not to exceed 25% of the service cost
- Elevator & Escalator Installation: \$25.00
- Annual test of Elevators & Escalators: \$25.00

The Boston Water and Sewer Commission (BWSC) is a public agency which provides water and sewer service to nearly 90,000 customers in the City of Boston.

The BWSC purchases water from the State Metropolitan District Commission. Boston water comes from the Quabbin Reservoir in western Massachusetts.

The BWSC maintains approximately 1100 miles of sewer pipe. Improvements and extensive rehabilitation work on the water and sewer system has already begun under the BWSC's three-year capital improvement program.

Plans to make new water and sewer line connections or to add new pipe lines are subject to the approval of the Boston Water and Sewer Commission.

Applicability

Permits are required for any construction project which involves water and sewer lines.

Process

Four copies of the project plot plan along with a cover letter describing intended work are required and must be submitted to the Boston Water and Sewer Commission, Engineering Services Division.

The plans are then reviewed by BWSC engineers. Approved plans will be stamped and can be picked up at the BWSC.

Time required: one week maximum.

Once the plans are approved applications for water and sewer permits should be completed, signed, and fees paid to the BWSC.

If for some reason the plans are not approved, a meeting can be established between BWSC engineers and the developers to discuss any necessary plan changes.

Truck Loading and Unloading Permits

Contact	Boston Water and Sewer Commission Engineering Services Division Ten Post Office Square, 8th floor Boston, MA 02109 426-6046
Fee	1980 Water and Sewer Inspection Fee for new service: \$85.00.
Temporary	A permit is required for loading or unloading a truck on a public street only if the process will take over two hours.
Process	<p>The owner of the property and the company desiring a truck loading permit should each send a letter to the Public Improvements Commission asking for the establishment of a truck loading zone.</p> <p>Subject to Commission approval, a permit will be issued and a "loading zone" sign erected.</p> <p>Temporary permits can be obtained in one day from the Public Works Department (PWD). These are subject to the approval of PWD and the Traffic Department.</p>
Contact	<p>Public Improvement Commission City Hall, Room 709 Boston, MA 02201 725-4965</p> <p>Public Works Department City Hall, Room 714 Boston, MA 02201 725-4911</p>
Fee	Per foot: \$.20
Permanent	A permit is required for the establishment of a permanent truck loading and unloading zone in a public way.
Process	<p>The company desiring a permanent truck loading zone must submit a letter to the Traffic and Parking Commission. If the company is a tenant, a letter of approval from the landlord must accompany the request.</p> <p>Subject to Traffic and Parking Commission approval, a permit will be issued.</p>

Street Related Permits

	Time required for issuance of permanent loading permits: up to a period of one month from the time of the application's submission.
Contact	Principal Traffic Engineer Traffic and Parking Department City Hall Boston, MA 02201 725-4679
Fee	Per foot per year (25 foot minimum): \$4.00. (In exceptional cases a loading zone can be the size of metered space, 22 - 24 feet.) A sign will be provided and maintained for \$50.00 every five years.
Curb Cuts	All curb cuts from public streets for entranceways require Public Works Department (PWD) approval.
Process	The developer must apply to the PWD Permit Office. The Permit Office circulates the application to the PWD Engineering Division and the Department of Traffic and Parking for review. Time required for review process: one-two weeks. A permit is issued to the contractor performing the work after a \$5,000 street surety bond is filed with the Permit Branch of the PWD.
Contact	Permit Office Public Works Department City Hall, Room 714 Boston, MA 02201 725-4910
Fee	Permit fee for a commercial/industrial driveway: \$10.00.
Street Closings	Streets can be closed, and in some cases relocated, in order to provide additional land for new development facilities. Any City of Boston street can be closed subject to Public Improvement Commission review of the following considerations: (1) Are any other abutters served by the street? (2) Does the City of Boston have an easement for the public right-of-way or does it have fee ownership of the street? (3) What effects will it have on traffic circulation?

Process

- (4) What utilities exist in the proposed discontinuance?
- (5) Will utilities be relocated or will easements be provided?
- (6) Who will pay for utility relocations or changes?

The developer's architect or engineer prepares preliminary drawings for discontinuing a public way. This proposal can be presented at a regularly scheduled Traffic Liaison meeting in City Hall. Meeting attendees include staff from the Boston Public Works Department, the Boston Traffic and Parking Department, the Boston Fire Department, the Boston Water and Sewer Commission, and the Boston Redevelopment Authority (Deputy Director of Traffic Planning).

A title search must be completed at the Mass. Registry of Deeds to determine fee ownership of the portions of the street to be discontinued.

A preliminary hearing plan must be prepared for presentation to the Public Improvement Commission. This plan is to be accompanied by an engineer's report prepared by the developer which lists all utilities and details how each is to be handled.

The proposed discontinuance should be formally requested by a letter addressed to the Commission.

The discontinuance will then be presented at a Commission meeting at which time a vote will be taken as to whether an appraisal is required.

Time required for preliminary meetings and initial presentation to Public Improvement Commission: one to three months.

After appraisal and review, a public hearing will be scheduled to take place two weeks following the date the discontinuance was placed on the commission's agenda (See Section 6, "Community Meetings").

After the hearing has been held, the Public Improvement Commission will take the discontinuance under advisement and vote its approval or disapproval.

Once the discontinuance order is given by the Commission, the discontinuance plan itself is reviewed again, in detail, and finalized. Both the discontinuance plan and order are sent to the Registry of Deeds for recording.

It shall then be recorded with the Registry of Deeds no less than six months following the first date of advertisement of the public hearing.

	<p>In the event the City of Boston owns the fee of the discontinued portion, the City Council Committee on Public Lands must approve the sale of the property.</p> <p>In this case, the developer should request a transfer of the discontinued portion from the Boston City Council, via the City Clerk. A fair appraisal value of the discontinued portion will be obtained before the City Council sells the land to the developer.</p>
Contact	<p>Chief Engineer Public Improvement Commission Boston City Hall, Room 709 Boston, MA 02201 725-4960</p>
Fee:	<p>While there is no fee, the developer assumes the cost of the engineering plan and title search.</p>
Creation of New Streets	<p>Any developer who owns the land in question may construct a street on that land subject to approval of the Public Improvement Commission.</p> <p>Street construction (creation of private ways open to public travel or a public way built fully to city standards) by the developer insures accessibility to his/her property and enables the developer to create a new street address. The City assumes responsibility for lighting, snow plowing and trash collection.</p>
Process	<p>The developer submits a plan and profile of the proposed street (prepared by an engineering firm) for review by Public Improvement Commission staff.</p> <p>A public hearing is required following the same procedures outlined under "Street Closings."</p> <p>The developer arranges a construction contract with a private contractor who must obtain the necessary bonding (See Section 6, "Bonding Requirements").</p>
Contact	<p>Chief Engineer Public Improvement Commission Boston City Hall, Room 709 Boston, MA 02201 725-4960</p>
Fee	<p>Costs of engineering and construction are assumed by the developer.</p>

Permits for Structures Over or Under Public Ways

Process

Permits are required for the construction of any structure (passageway, tunnel, conduit, etc.) above or below a public thoroughfare.

Procedures apply to any private or public development entity interested in constructing a structure above or below a public thoroughfare.

The developer consults the Chief Engineer, Public Improvement Commission, for advice on the preparation of preliminary plans for construction of the structure. The BRA Transportation Liaison Office should also be contacted so that the proposed construction plan can be placed on the agenda of the Traffic Liaison Committee in City Hall.

The proposal will be discussed at a regular or special Traffic Liaison meeting. The developer's plan of construction will be reviewed by the regular attendees who include staff from the Boston Public Works Department, Boston Traffic and Parking Department, Boston Fire Department, Boston Water and Sewer Commission, Boston Redevelopment Authority, Massachusetts Bay Transportation Authority and other interested parties.

Consultation with the Chief Engineer, Public Improvement Commission, is necessary in order to incorporate his/her suggestions, criticisms and advice into a workable construction plan.

If no street discontinuance is involved, the developer formally requests, by letter addressed to the Commission's Chief Engineer, that the plan of construction be placed on the Commission agenda. Construction plans submitted with the letter include an engineering report prepared by the developer detailing property lines, listing all utilities and any plans to relocate or remove them, and describing the physical characteristics involved in the construction.

The plans will be presented at a Commission meeting. If a favorable vote is taken by the Commission, the City Law Department prepares a license to be signed by the Commission, the owner of the property, the City's Corporation Counsel, and the Mayor.

If construction plans require a discontinuance of a street(s), the developer's attorney must complete a title search at the Massachusetts Registry of Deeds to determine fee ownership of the portions of the street to be discontinued.

If the City owns the land in fee, it must sell the fee.

Bonding Requirements

Contact

Chief Engineer
Public Improvement Commission
Boston City Hall, Room 709
Boston, MA 02201
725-4960

Transportation Liaison Officer
Boston Redevelopment Authority
Boston City Hall, 9th floor
Boston, MA 02201
722-4300

Fee

Annual charge based on the cubic volume of the structure proposed. Minimum charge: \$500.00/year.

Applicability

Bonding protects the developer from any failure of the contractor to complete work in the prescribed manner within the bid amount.

Public bidding is required when a project is publicly funded and administered. Contractors bidding on publicly advertised construction projects must have a Performance Bond insuring that 100% of all specified work will be completed. Also required is a security deposit for 5% of the estimated construction cost which is refundable upon completion. In some cases, the amount of bonding required may be less depending on the size, complexity, and estimated cost of construction or on regulations applicable to federally funded projects. Developers of projects which do not require public bidding may opt not to require bonding or to require bonding of less than 100%.

Process

Private developers should determine the level of bonding to be required prior to the execution of construction contracts.

Contractors bidding on public construction projects should consult the instructions regarding bonding and security deposit requirements which appear in the advertisement of the project in the "City Record."

It is the responsibility of the contractor to obtain the necessary bonding which is generally acquired from a bonding or insurance company.

Bonding must be obtained before a public contract is awarded.

Contact

Bid Desk of Chief Engineer
Public Facilities Department
147 Milk Street, 9th floor
Boston, MA 02110
725-4866

Fee

Bonding companies will charge approximately 1% of the construction cost for a 100% Performance Bond. Exact amounts will vary, however.

nding Employees



This section describes the services available to a firm expanding or locating in the City of Boston which wishes to find employees for newly-created jobs. Eligible candidates for these jobs can be persons who have received training at EDIC/Boston's Job Training Center or in the many training programs which exist throughout the City. They may also be unemployed workers with previous experience or unskilled laborers who can participate in on-the-job training programs.

Residents and minority hiring requirements for firms who are involved in an incentive program or contractors employed by the City are described in the second part of this section.

EDIC/Boston and the BRA are working with the City's Employment and Economic Policy Administration (EEPA) to establish a system enabling firms which benefit from incentive programs to rely upon EEPA as the "first source" of employees for new positions. This will enable these companies to meet resident and minority hiring goals set forth in developer agreements with the City. Contractors employed by the City on publicly funded construction projects are required to hire City residents, minorities and women.

More information on skill training programs can be obtained both from EEPA and The Boston Private Industry Council, Inc. (PIC). EEPA is the City's lead agency for job training and referral. The PIC can fund and design vocational training programs which are customized to employer needs and specifications (See Section 2, "The Boston Private Industry Council, Inc.").

Job Training

Employment and Economic Policy Administration

The City's Employment and Economic Policy Administration (EEPA) uses CETA (federal manpower training) funds to sponsor and operate a wide array of employment training programs designed to provide skilled workers to Boston businesses. By working closely with the employer in order to insure that a company receives qualified employees, EEPA functions as a major personnel resource for the private sector.

Acting in cooperation with public, private and non-profit employment training centers (such as Opportunities Industrialization Centers of Boston, Inc. and Action for Boston Community Development, Inc.), EEPA is able to tailor programs to address the particular needs of businesses which are expanding or locating in Boston. Among the types of training programs which EEPA is currently sponsoring are: Computer/Electronic Technology, Computer Programming, Machine Tool Set-up, Clerical Skills and Key punching.

EEPA also will provide businesses with candidates for on-the-job training, and will reimburse the employer for 50% of the employee's wages during the training period. If the employer wishes to supplement on-the-job training (OJT) with additional, specialized classroom instruction, OJT contracts can be designed to pay 100% of the course's costs.

Applicability

Businesses interested in the employment services available through the City of Boston.

Process

Depending upon the needs of the particular corporation, the EEPA administrator will make available the necessary resources.

Contact

Administrator
Employment and Economic Policy Administration
15 Beacon Street
Boston, MA 02108
725-3628

Job Training Center

The EDIC/Boston Job Training Center (JTC), located at the Boston Marine Industrial Park (BMIP) and funded through EEPA, provides training in several fields including electronics, materiel management, welding and fabrication, and machine tool operations. Trainees are previously unemployed or underemployed City residents interested in obtaining permanent skilled or semi-skilled employment. The JTC program and faculty are affiliated with Burdett School, Franklin Institute and Wentworth Institute.

Applicability

Graduates of the center have a 94% job placement rate. The types of industries using these training programs include: high technology, manufacturing, service, medical, and ship building and repair.

The process by which JTC works with employers so that its graduates may obtain jobs in an expanding firm has two parts. The first involves curriculum development and the second involves training, recruiting, and placements. Firms whose needs are well served by the existing curriculum will not need to participate in the first part of this process.

Process

All industries are eligible to use the Job Training Center's Job Development and Placement Service.

The interested company should contact the Job Training Center's Director to discuss personnel needs and determine whether existing courses provide training in the necessary skill areas or whether existing courses should be altered or new courses added.

Curriculum Development A JTC staff member will visit the business. This will be followed by a meeting between company representatives and JTC counselors to discuss both the firm's skill needs and the availability of students with the required skills.

Training curriculum changes or expansions can be made to suit the needs of the industry, subject to the availability of funding and space.

Time required: existing courses can be expanded or altered in two weeks. New courses can commence six to nine weeks after a request is made to the JTC. Because existing JTC programs are well suited to the needs of many firms, the above mentioned steps involving curriculum expansion may not be necessary.

Training, Recruitment and Placement Training programs run from 26 to 32 weeks depending upon the type of program required.

After the courses commence, an industry representative makes a recruiting presentation at the JTC.

Interested companies undertake job interviews with prospective JTC graduates in order to select students for available positions.

Contact

Director
Job Training Center
660 Summer Street
Boston, MA 02210
482-7787

Resident Hiring Requirements

Resident hiring requirements represent a concerted effort by the City's development and employment agencies to link employment programs with economic development. Developers who benefit from economic development incentives provided by the BRA and EDIC/Boston work with the appropriate agency to achieve a goal of hiring at least 50% Boston residents for new positions. In enacting this policy, the City of Boston relies on a strategy of using "first source" employment agreements whereby private sector businesses, together with the BRA or EDIC/Boston, contact the City's Employment and Economic Policy Administration (EEPA) as their first source of workers to meet their anticipated employment needs. Workers trained or referred by EEPA are hired by the industry if their skills and interests match the available jobs (See EEPA section). In all cases the final decision to hire a particular individual is made by the employer.

Applicability

When land is acquired or leased from EDIC/Boston or the BRA, or when a developer or firm benefits from a property tax agreement, or when federal grant funds are used to assist a project, the developer must work with the appropriate agency to achieve the 50% resident hiring goal. This goal is also a requirement for contractors who successfully bid on City construction projects.

Process

The developer and the BRA or EDIC/Boston reach agreement as to which referral programs (see above) will be used to link unemployed or underemployed City residents with newly created job opportunities. Companies may also opt to provide their own training programs.

When positions become available, job descriptions are provided to EEPA before they are advertised elsewhere. Developers rely on the employment program as the "first source" of prospective employees.

Contact

Director of Project Management
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

Deputy Director
Boston Redevelopment Authority
Boston City Hall, 9th floor
Boston, MA 02201
722-4300

Affirmative Action Requirements

Affirmative action requirements are designed to insure that women and minorities benefit from new employment opportunities created by projects which receive federal or city assistance, including both temporary construction jobs or permanent jobs created by expanding firms.

The process by which Boston ensures that equal employment benefits will be provided during the construction phase is described below. This process is designed to enforce both affirmative action and resident hiring requirements at the same time. Affirmative action goals and requirements, and enforcement procedures for permanent hiring are currently being formulated.

Affirmative action requirements applicable to construction contractors and subcontractors are as follows:

Workforce Requirements

- Contractors and subcontractors shall maintain at least a 25% ratio of minority employee hours worked to total employee hours, in each trade, on the contract.
- Similarly, there must be at least a 10% ratio of female employee hours worked to total employee hours worked.

Minority Business Utilization At least 10% of the value of all construction goods and services procured by the City during each project will be obtained from minority-owned firms. In neighborhoods of high minority concentration, those designated as "impact areas," 30% of all construction must be contracted to minority-owned firms.

Resident Hiring Requirements For enforcement purposes, resident hiring requirements have been incorporated into the affirmative action requirements (described earlier in the *Guide*) included in all construction contract documents.

Applicability

These affirmative action hiring goals are mandated by Executive Order of the Mayor for contractors working on projects funded by the City or the federal government.

Process

Affirmative action requirements are delineated in construction contract documents.

A pre-bid conference is conducted by the City's Equal Employment Opportunity Contract Compliance Office (EEO). The affirmative action requirements are explained to any contractor who plans to bid on an advertised contract.

Sources of potential workers, which might be used after union sources are exhausted, are described during the conference.

A pre-construction conference is conducted by the city agency which will oversee the contract in conjunction with EEO. At this time, an EEO Officer will describe the forms which must be submitted to insure compliance with affirmative action regulations.

Before construction starts, the contractor must submit a "Minority Business Utilization Letter of Intent" form for each minority-owned business which will provide goods or services to the project site. If the minority business is not included in the minority business directory published by the city, additional information will be needed about the firm. This information, provided in a "Minority Business Identification Statement," substantiates that the firm is minority-owned.

Copies of contracts with minority businesses must be furnished to EEO.

During construction, the contractor must submit Minority Business Utilization Forms on a weekly basis. These forms delineate the hours worked by each female, minority, and resident employee.

During construction, EEO officers monitor the project. Head counts are taken of women, minorities and Boston residents working on-site.

If the contractor is not in compliance with EEO requirements a warning letter will be issued.

If union sources for employees have been exhausted the contractor will be urged to contact alternative sources for employee recruitment.

If the contractor remains in noncompliance, payments will be withheld until action is taken to comply with the EEO requirements.

Continued non-compliance will result in termination of the construction contract and/or disqualification from future work for the City.

Contact

EEO Officer
Equal Employment Opportunity
Contract Compliance Office
Boston City Hall, 4th floor
Boston, MA 02201
725-4851

Acknowledgements

City of Boston

The people and agencies listed alphabetically below have made it possible to insure that the information provided in this *Guide* is accurate and timely. Their assistance in reviewing the *Guide* is greatly appreciated.

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Boston Conservation Commission

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Building Department

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Jose Perez, Director of Occupational Job Training

Equal Employment Opportunity Contract Compliance Office

James Younger, Director of Contract Compliance

Mayor's Office

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Boston Guide to Development



City of Boston, Kevin H. White, Mayor
Boston Neighborhood Development Agency
John F. Weis, Director

UPDATE

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Introduction

This volume represents the first update of the Boston Guide to Development. It deals specifically with the functions of the City's newly established Neighborhood Development Agency.

The Boston Neighborhood Development Agency is the City's planning and development agency for all neighborhoods outside the downtown core. For a large part of the twentieth century these neighborhoods experienced a dearth of both public and private investment. Over the last fifteen years, however, the City has invested heavily in public improvements such as schools, firehouses, police stations, streets and sidewalks, parks and playgrounds, and sewer and water lines. Today the public infrastructure in the City's neighborhoods is probably in better shape than at any time in Boston's history.

And now private investors are showing a renewed interest in Boston's neighborhood development opportunities. As energy considerations and changes in "lifestyle" have made urban living more desirable, the City's demand for housing has increased dramatically. New and recycled housing has begun to appear in every part of the City, as Victorian mansions are reclaimed and refurbished, former warehouses and school buildings are turned into apartments and condominiums, and wooden triple-deckers take on a new appeal for a new generation. For the last five years the number of mortgage requests in Boston has risen by 50 percent and the number granted by 53 percent.

As the City's residential neighborhoods gain a new health and vigor they are placing new demands on local shopping areas. Surveys show that little more than a third of the available market is being served by the commercial districts. The vitality of these centers is a critical factor in neighborhood stability and growth as well as an important incentive to private investment around these areas. The City is actively encouraging businesses to locate and expand in these areas. The NDA is now offering investors the kind of incentive formerly associated with larger-scale, downtown development: long-term, low-interest loans, site location assistance, financial packaging aid, market surveys and research data, technical and architectural advice and a staff of professionals whose goal is to cut (rather than create) red tape for private investors.

The City is also seeking out and encouraging private industrial development in its neighborhoods. Boston has the available land, structures and labor supply to suit many kinds of light manufacturing. Industries in the high-tech and medical instruments field have begun to recognize this fact; and companies such as Wang, Digital, Teradyne, and Healthco have settled or expanded within the City's limits. The NDA is working with EDIC/Boston to provide financial incentives such as Urban Development Action Grants, and

with the BRA to provide in lieu of tax agreements, to encourage further investment of this kind.

Boston anticipates in the next several years a wave of private investment in its neighborhoods similar to that which has taken place downtown in the last few decades. The NDA has been established to guide and encourage investment and to initiate a new era of public and private cooperation in development of the neighborhoods of this City.

Boston Neighborhood Development Agency Programs

The Boston Neighborhood Development Agency (NDA) is the City's planning and development agency for neighborhoods outside the downtown core. The capital improvements that have marked the City's past efforts to serve its residents will now be bolstered by long-range economic planning intended to bring to Boston's outlying areas a measure of the impressive revitalization that has taken place in the core city over the last several years.

To help realize this goal, the NDA has made available a variety of incentives to business and industry as well as to individuals interested in neighborhood investment. Low-interest loans and rebates are available to residents, merchants, and commercial and industrial firms. Funding sources include Urban Development Action Grants; the Community Development Block Grant, Boston's largest single federal assistance program currently amounting to \$26 million annually; and various other federal, state, and city sources.

The NDA's Commercial Development Program involves the comprehensive revitalization of nine of the City's neighborhood shopping areas: Dudley Station, Grove Hall, Lower Mills, Fields Corner, West Broadway, Blue Hill Avenue at Morton Street, Codman Square, Uphams Corner, and Roslindale Square. Development in each of these areas is overseen by an NDA project manager who coordinates design, technical marketing and promotional assistance to prospective investors. Architects and landscape designers are available from the NDA's Urban Design Division to furnish design support; financing for improvements and new construction is arranged by the Technical Services Section.

The Commercial Development Program began operations with \$6.5 million in CDBG funds earmarked for extensive capital improvements such as new streets, sidewalks and lighting, as well as for low-interest loans obtainable through the Neighborhood Commercial Development Bank. Additional funding for low-interest financing is available for designated areas under the Commercial Area Revitalization District (CARD) program.

Under the City's Industrial Development Program, the NDA provides capitalization to EDIC for long-term financial assistance to small and medium-sized industrial firms locating or

expanding in Boston. In its first year, the Industrial Development Program will employ CDBG funds to create a revolving loan pool for the Boston Local Development Corporation, established and staffed by EDIC/Boston. The NDA will work with EDIC/Boston and the Boston Redevelopment Authority to provide Urban Development Action Grants and 121A tax agreements intended to attract investment that will broaden and strengthen the City's economic base and provide needed jobs for the City's blue-collar workforce.

The NDA staff offers potential investors extensive information on the local market, the availability of sites, the local labor supply, and the type of financial assistance best suited to the investor's needs.

Contact

Director
Neighborhood Development Agency
182 Tremont Street
Boston, Massachusetts 02111
725-3315

NDA Commercial Development Project Areas

Commercial Development Project Areas are designated by the Neighborhood Development Agency (NDA) for intensive programs of capital improvements, city services, and financial incentives for commercial investment. Management of the City's activities in these target areas is handled by the NDA's Commercial Development Division with project managers assigned to each district and support from the division's financial, development, and design staff.

Capital improvements undertaken by the NDA in Commercial Development Project Areas during 1981 will concentrate on restoring and upgrading the physical appearance of commercial districts as well as increasing their accessibility and convenience. All projects include special design treatments such as the use of brick and similar paving materials for sidewalks and other pedestrian areas, the installation of decorative, pedestrian-scale lighting, and the addition of attractive and functional street furniture. Design studies are under way for further pedestrian improvements as well as traffic and parking projects scheduled for construction in 1982 and 1983.

To assist developers in market analyses and site location decisions, the NDA has conducted a survey of neighborhood shopping patterns in seven Boston neighborhoods. A series of 700, half-hour telephone interviews during 1978-1979 has provided detailed information on residents' shopping habits, attitudes, and demographic characteristics. Three retail market studies are currently in print, covering specific project areas, and additional data are available for the entire seven-neighborhood survey area. Further studies scheduled for completion in mid-1981 will cover office market demand in neighborhood commercial areas as well as additional retail market surveys.

The primary source of incentive financing for commercial projects in these areas is the Neighborhood Commercial Development Bank which, beginning Spring 1981, offers reduced interest costs and extended terms on loans for commercial property rehabilitation and facade improvements. Loans are available from participating Boston lending institutions, with an interest subsidy from the City and term and rate guarantees to each borrower under an agreement between the City and each lender. Loan proceeds may be used only for approved commercial projects within the designated Commercial Development Project Areas. Comprehensive loan packaging services for program participants are provided by the NDA.

In addition to the Neighborhood Commercial Development Bank, each of the designated areas may also be eligible for other targeted incentive programs. (See NDA CARD Areas.)

Applicability

Currently, nine neighborhood business districts are designated as Commercial Development Project Areas:

Fields Corner, Dorchester
Uphams Corner, Dorchester
Grove Hall, Roxbury
Lower Mills, Dorchester
Roslindale Square, Roslindale
West Broadway, South Boston
Dudley Station, Roxbury
Codman Square, Dorchester
Morton Street—Blue Hill Avenue, Franklin Field/Mattapan

The first seven of these districts are currently designated as Commercial Area Revitalization Districts (CARDs), with the designation for the remaining two pending.

Projects located in either the Grove Hall or Dudley Station business districts are eligible through February 1982 for a 25 percent rebate under a federal Urban Development Action Grant.

Process

Requests for marketing information, financial and architectural services, and financial assistance should be directed to the NDA Commercial Development Division's Project Manager for each Project Area. Requests for services will be filled as technical staff is available for consultation. Financial services include advising on program eligibility and analyzing credit history, including financial statements and profit and loss statements. Finance specialists will conduct an analysis of repayment ability comparing cash flow to proposed debt service and if considered feasible, will package applications for loans or grants. NDA development, financial packaging and urban design staff can assist in packaging projects not only for privately owned properties in the Commercial Development Project Areas, but also for development of publicly owned properties in several of these districts. A number of city-owned properties offer development opportunities for housing as well as commercial utilization.

Neighborhood Commercial Development Bank

The owners of businesses and properties in the NDA's nine Commercial Development Project Areas are eligible for long-term, reduced-interest rate financing under agreements between the NDA and several Boston lenders.

Funds must be used for property rehabilitation purposes, property acquisition (provided that substantial rehabilitation will be included in the financing package), or, on a case-by-case basis, new construction. Eligible rehabilitation purposes include improvements to building facades, site improvements, and rehabilitation of space designed for commercial occupancy.

Applicability

The owner of a commercial business or commercial property in any of the following business districts is eligible:

Fields Corner (Dorchester)
Uphams Corner (Dorchester)
Codman Square (Dorchester)
Lower Mills (Dorchester)
Grove Hall (Roxbury)
Roslindale Square (Roslindale)
West Broadway (South Boston)
Morton Street—Blue Hill Avenue (Franklin Field/Mattapan)
Dudley Station (Roxbury)

Process

Final program guidelines and the participating lenders are scheduled to be announced in April, 1981. In all cases, loans will be made by a participating commercial bank, savings bank, or other private lender. The City will not make loans directly to a borrower, nor will it provide guarantees of private bank loans.

Loans will be made based on the lender's usual underwriting criteria. The City's role is primarily to provide a subsidy to the lender that will result in a substantially reduced interest rate and extended loan term for the borrower. In addition, the City will screen applicants and provide loan packaging, design, and construction supervision services.

Contact

Director, Technical Services Section
Commercial Development Division
Neighborhood Development Agency
182 Tremont Street
Boston, MA 02111
725-3315

Neighborhood Urban Development Action Grants

This U.S. Department of Housing and Urban Development (HUD) program is aimed at stimulating private investment, creating jobs, and broadening the tax base of distressed cities. The City of Boston uses the UDAG grant as a low-interest loan to firms in order to make private investment in Boston competitive with investment in other communities. UDAGs can be used to fund one or more components of a project when such low-interest financing is needed for extraordinary costs or when financing is unavailable from private lenders.

HUD allows grantees to use UDAGs as either grants or loans. They can also be used in part or in total for City-constructed public improvements such as sidewalks, parks, or streets for which no reimbursement will be required from the developer. Project components which may require UDAG financing include site acquisition, preparation or clearance, the construction of transportation-related improvements such as rail sidings, docks or parking facilities or the construction of building foundations. Wage levels set under the Bacon-Davis Wage Act are required for UDAG-funded construction.

Applicability

The project must lever at least 2.5 private dollars for each expended UDAG dollar and must generate new jobs and property tax revenue. It is expected that commercial and industrial projects will have higher leveraging ratios than housing projects. Preference is given to projects in designated Economic Development or Urban Renewal Areas. Although UDAGs may be used as outright grants, preference is given to projects for which the City will receive a direct return on its UDAG investment. The program is highly competitive.

Process

In the neighborhoods covered by the Neighborhood Development Agency, the NDA will prepare the grant application with the developer. In concert with the industry or developer, the NDA will obtain the necessary public approvals, submitting the application to the City Council and holding the community hearing. (See section 6, "Public Hearings.")

With NDA assistance, the developer must obtain all essential project commitments, such as leasing or acquisition agreements and financing arrangements.

Time required: two-three months.

HUD will receive and consider applications on a quarterly basis.

Time required for HUD review: two months.

If HUD awards the grant, the developer and the agency which prepared the grant application must submit any outstanding project commitments and any other materials requested by HUD. Upon favorable review of these materials, HUD will authorize "draw-down" of the grant.

Time required for “draw-down” between submission of request and HUD approval: two-six months, depending upon the speed of project implementation.

Contact

Director
Planning & Development Division
Neighborhood Development Agency
182 Tremont Street
Boston, MA 02111
725-3440

NDA Commercial Area Revitalization Districts

Commercial property within designated Commercial Area Revitalization Districts (CARDs) is eligible for certain economic development incentives formerly available only to industrial enterprises. The NDA is charged with implementing this state-initiated program in neighborhoods outside the downtown core area in the City of Boston. Commercial enterprises which are either currently in one of these districts or plan to locate in a CARD may avail themselves of the following incentives:

- Tax free industrial revenue bond financing for up to 100 percent of the costs of building expansion, renovation or new construction. Industrial Revenue Bonds are issued through EDIC/Boston's Industrial Development Finance Authority.
- Mortgage insurance up to 40 percent of the total project financing. This insurance may be applied to either conventional or industrial revenue bond financing. It is provided by the Massachusetts Industrial Finance Agency (MIFA).
- Businesses in CARDs can take an Investment Tax Credit and an Urban Job Incentive Tax Credit. (See Section 5, “State and Federal Tax Incentives.”)
- State reimbursement for up to 70 percent of local government parking facility construction costs.

Applicability

In order to qualify for the first three of the above incentives, a business must locate in, or currently be located in, an approved CARD. CARD project designations are obtained after a CARD plan for each district is prepared by the NDA staff. The plan is circulated among neighborhood groups based near the proposed CARD, reviewed at a neighborhood hearing, approved by the NDA Director and submitted to the City Council. After City Council approval is obtained, the Mayor signs the resolution and the CARD is forwarded to the State Executive Office of Communities and Development for final approval.

The following neighborhood CARD plans have been approved:

Cleary Square, Hyde Park	Dudley Station, Roxbury
Grove Hall, Roxbury	West Broadway, South Boston
Bayside Mall, Dorchester	Fields Corner, Dorchester
Roslindale Square, Roslindale	Lower Mills, Dorchester

Additionally, CARD plans are currently being written for:

Codman Square, Dorchester
Kenmore Square, Fenway
East Fenway, Fenway
Maverick & Central Squares, East Boston
Morton Street—Blue Hill Avenue, Franklin Field/Mattapan

The eligibility of projects to obtain Industrial Revenue Bonds (IRB) or MIFA mortgage insurance is based on the credit worthiness of the firm, the financial strength of the proposed project, and conformance with the objectives of the CARD plan. Mortgage insurance will be issued only for projects involving the substantial renovation of existing buildings. Additionally, during the review of IRB proposals, it must be shown that the project will generate economic benefits for the community.

Details on eligibility criteria for tax credits can be obtained from Section 5, "State Tax Incentives."

Process

Industrial Revenue Bonds The developer must submit project information to the NDA. The particular materials required may vary with each project, but generally include background information, plans, drawings, and financial analyses.

The developer meets with the NDA staff who will review the proposal and determine its compliance with the CARD plan for that area. Once the necessary conditions are met, the NDA Director will issue a letter certifying the project's conformance with the CARD plan.

Concurrent with NDA review, an industrial revenue bond application should be submitted by the developer to the Industrial Development Finance Authority (IDFA), which is staffed by EDIC/Boston. The IDFA Board will act on the project after the NDA Director's letter of certification is issued.

For the remaining steps, the regular IDFA review process is applicable (See Section 4, "Loans for Fixed Assets or Lease Improvements in Targeted Areas.")

Total time required to obtain an Industrial Revenue Bond for a commercial project: five-six months.

MIFA Mortgage Insurance The developer should meet with MIFA staff to discuss the proposal and obtain application materials.

The developer should submit to MIFA an application and project information statement containing market analysis, projections of income and expenses, proposed market and management plan, and description of past experience and existing leases.

If IDFA financing will also be requested, submissions to MIFA and IDFA should be concurrent.

The project proponent should submit to MIFA evidence of lender commitment to the project. Upon favorable MIFA review of project feasibility and eligibility, the proposal will be submitted to the MIFA Board of Directors for approval.

Total time required to obtain MIFA Mortgage Insurance: 4-6 weeks.

Tax Credits For details on how to obtain tax credits, see Section 5, "State Tax Incentives."

Parking Facility Construction Procedures under which the City can obtain state funding for parking areas are currently being formulated.

Contact

For CARD Conformance Certification:
Director of Planning and Development
Neighborhood Development Agency
182 Tremont Street
Boston, MA 02111
725-3440

For Industrial Revenue Bonds:
Director of Financial Assistance
EDIC/Boston
18 Tremont Street, Suite 300
Boston, MA 02108
725-3342

For MIFA Mortgage Insurance:
Mortgage Officer
Mass. Industrial Finance Agency
131 State Street, Suite 600
Boston, MA 02109
723-4242

For Tax Credits:
Director, Urban Job Incentive Program
Mass. Dept. of Commerce & Development
100 Cambridge Street, 13th floor
Boston, MA 02202
727-3210

Bureau of Corporations
Department of Revenue
100 Cambridge Street
Boston, MA 02202
727-4264

Fee

For MIFA Mortgage Insurance: 1/8 of 1 percent of loan amount requested (\$500.00 minimum) plus an insurance commitment fee of 1 percent of the amount of insurance granted (\$500.00 minimum). A premium of 1½-2 percent of the

declining balance of the insured portion of the loan must be paid to MIFA annually.

For Industrial Revenue Bonds: IDFA does not have an application fee; however, applicants must pay a processing fee to MIFA. (See Section 4 of original Boston Guide to Development, "Industrial Revenue Bonds.")

NDA Design Review

Applicability

The Neighborhood Development Agency design review process entails the evaluation of design proposals submitted by a developer or architect for projects within NDA project development areas.

All projects within the designated boundaries of a Neighborhood Commercial Development Project Area and other projects deemed to be of major significance within the Neighborhood Development Agency planning districts are eligible.

Process

Each case is individually handled. A series of negotiations is held between the developer, his architect and the Neighborhood Development Agency staff architect assigned to the project. The review process will depend on the scale and scope of the project. However, for major projects four formal stages for the design submission will be followed:

Step 1—Schematic Design

Developer submits:

- Site plans at an appropriate scale (1" = 100' or 1" = 40' are preferred scales) emphasizing general relationships of proposed and existing buildings, walls and open space, including those mutually defined by buildings on adjacent parcels and across streets. In addition to the building the general location of walks, driveways, parking service areas, roads, and major landscape features should be shown. Pedestrian and vehicular flow through the parcel and to adjacent areas should also be delineated. Where relevant, site sections showing height relationships with proposed adjacent buildings should be provided.
- Building plans, elevations and sections at an appropriate scale, showing organization of functions and spaces. These drawings need not be more detailed than is sufficient to indicate general architectural character and proposed finish materials.
- Study model at 1" = 100' (minimum) is suggested, and may be required.

Step 2—Design Development

Developer submits:

- Site plan development at 1" = 40' minimum (or as determined after approval of Schematic Design). Phasing possibilities, if any, proposed site grading, including

typical existing and proposed grades at parcel lines, should be shown. Those areas of the site proposed to be developed “by others” or easements to be provided for others are to be clearly indicated. All dimensions which may become critical from the point of view of zoning should be indicated for adjacent buildings, streets and buildings and across streets.

- Site sections at 1" = 40' (minimum) showing vertical relationships in addition to those shown above.
- Building plans, study model, written statement of proposal, and perspective sketch.

Step 3—Preliminary Working Drawings

Developer submits:

- Site Plan(s) of sufficient detail to describe the character and scope of the proposal.
- Building plans (including roof), elevations, and sections developed in sufficient detail and at large enough scale to show all materials and assemblies comprising the buildings.
- Perspective renderings and/or a model showing the architectural and urban design character of the proposed project. A rendered site plan showing all adjacent proposed and existing structures and streets must be submitted.
- Outline of specifications for materials and methods of construction.
- Statement of Design Development including the following: major building dimensions and gross area of buildings, floor area ratio, proposed division of work between the developer and public agencies. Where variances, waivers, or deviations from existing city, state and federal regulations are proposed, they should be listed along with a statement of progress made toward obtaining such variances.

Step 4—Final Working Drawings

Review of the final working drawings is a prerequisite to securing final agreement on the approval of the contract documents and the completed proposals. The following are needed to facilitate this section of the NDA design review process:

- Completed site plan for full parcel development with working drawing level of detail;
- Completed working drawings and specifications ready for binding;
- Statement of proposal, indicating difference, if any, from Schematic Designs previously submitted;
- Time schedule for construction of the project.

Once final working drawings and specifications have been approved and construction started, the only items subject to an additional review will be requests for change orders in the construction. The developer is strictly required to construct the project in accordance with all details of the approved drawings. Permission to make changes from such approved drawings must be requested by the developer in writing to the NDA Director of Urban Design, who will reply in writing giving approval or disapproval of the changes. No changes in the work are to be undertaken until such approval has been obtained.

Contact

Director
Urban Design Division
Neighborhood Development Agency
182 Tremont Street
Boston, MA 02111
725-3315

Neighborhood Construction Requirements

This section pertains to permit requirements applicable to all construction projects as well as review and approval procedures applicable only to specialized projects. Developers are often responsible for compliance with these requirements, although the NDA often takes responsibility for insuring that certain approvals are obtained.

Contact

Director
Neighborhood Development Agency
182 Tremont Street
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725-3315

Neighborhood Community Meetings

These meetings provide the opportunity for community review and comment on proposed public actions which will result in new development. Community meetings are usually conducted in the neighborhood where the new development is proposed.

Applicability

The programs and incentives described in this *Guide* for which community meetings are required and for which the NDA will schedule the meeting include: Urban Development Action Grants, Environmental Impact Statements, CARD plans, and street closings and creations. Meetings take place in the neighborhood where the new development would be located.

Process

The NDA schedules community meetings at least two weeks before a City Council hearing.

At least ten working days before the scheduled community meeting, the NDA provides public notification of the meeting in one major Boston daily newspaper and appropriate community newspapers. The notice identifies the meeting date, time and location and contains a brief description of the project or action to be discussed.

The NDA extends invitations to attend the community meeting to the appropriate City, State and Congressional representatives whose constituencies will be directly affected by the action under consideration. In addition, the NDA will invite appropriate community leaders, neighborhood groups and local property abutters who may have an interest in the hearing. The above groups are notified at least ten working days before the scheduled hearing date.

The private firm which will be involved in the new development ensuing from the proposed public action provides background information on the project to NDA staff who will chair the meeting.

The firm's representative(s) attend the community meeting and should be prepared to respond to questions on the proposed public action or development project.

Contact

Director
Neighborhood Development Agency
182 Tremont Street
Boston, MA 02111
725-3315

Neighborhood Zoning Requirements

See Section 6 of original Boston Guide to Development.

The NDA in its role as the planning agency for neighborhoods outside the downtown core, files a report on the requested change with recommendations to the BRA board and the Board of Appeal. NDA staff have previously sought input from all interested parties and often appear at the Board of Appeal hearing to offer detailed comments. The remainder of the process is the same as outlined in the previous section.

Contact

Director of Planning
Neighborhood Development Agency
182 Tremont Street
Boston, MA 02111
725-3440

Tax Foreclosure in NDA Neighborhoods

The Neighborhood Development Agency has set up a process with other City agencies to help expedite the tax foreclosure process on parcels for which there is interest in private acquisition and/or redevelopment.

Contact

Director
Neighborhood Development Agency
182 Tremont Street
Boston, MA 02111
725-3315



